OSAKA EXPO ERVIN GALANTAY

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*Rape . . . an accusation easy to be made, hard to be proved, but harder to be defended by the party accused, though innocent.* –Manual for Courts-Martial

# The Ordeal of L/Cpl. Johnson

**RICHARD OLIVER**

## WAR IS HELL FOR SENATOR JACKSON

**BERNARD WEINER**

## The Lady and the Colonels/Stephen Rousseas

## The Culture Trough/Curt Johnson

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# LETTERS

## death of a policeman

*New York City*

DEAR SIRS: *On Wednesday, July 1, Robert Perry died as a result of bullet wounds inflicted by an unidentified sniper in Plainfield, N.J. Yet, Mayor Lindsay did not order the city flags to be flown at half mast; no municipality as far as I know ordered any observance of his death; no schools or community leaders took to the air to denounce his death or to participate in any memorial services or benefit for his survivors. In fact, it has gone largely unnoticed.*

Who was Mr. Perry and how and why was he killed? Robert Perry was 23 years old . . . a policeman in Plainfield. On Monday, June 29, he and a colleague went to the aid of firemen who were attacked by snipers while they attempted to extinguish a blaze in what was primarily a Negro area. Mr. Perry attacked no one; he merely tried to defend those who were engaged in the hazardous job of fire fighting.

The question that troubles me is why has the press, particularly the liberal press, remained silent on Mr. Perry's death? *Edward M. Cramer*

We publish the above letter because we agree that such occurrences should be recorded. It is shocking and intolerable that a policeman carrying out his duties should be shot from ambush. But Mr. Cramer implies in his letter a parallel between the death of Mr. Perry and the deaths of the students at Kent State University and that parallel will not hold.

If Mr. Perry died in the manner described, and if his assailant can be discovered, he will be brought to trial for a wicked crime. But no one expects a trial of the National Guardsmen who fired into the crowd at Kent State—they were acting, it is agreed, in "the line of duty," they are protected by their official status. And so are the policemen, who on various occasions recently, have gunned down their defiant opponents. The wanton killing of a man is always an affront to the whole society, but it detracts not at all from the tragedy of Robert Perry to point out that the affront is far more intolerable when the killing is done by the very representatives of that society. *The Editors*

## which Z?

*Fair Haven, N. J.*

Dear Sirs: Last night a subtle variety of American censorship was brought to my attention by the movie *Z*, which I was viewing in Montreal, Canada. I feel that the American public should be made aware of this infringement on their liberties.

The censorship amounts to this. In both the English dubbed version and the French original version of *Z*, released in America (both of which I saw while there) the major character, the chief investigator, was merely relieved of his duties at the end of the movie. However, in the French version that I viewed in Canada, the chief investigator died of an alleged heart attack while riding in a police car. Also differing in the American version was the way the chief investigators's fate was established at the very end of the film. In the Canadian version his fate was established at mid-point of establishing the fates of the other relevant characters of the investigation.

This censorship is significant as the chief investigator was the one completely neutral character in the plot. His death was the climactic part of what the film was attempting to say. Knowing the reference in the film to U.S. intervention in the domestic affairs of the country portrayed by *Z* makes this censorship truly significant. *Robert Byron*

# EDITORIALS

## The Price of Repression

The first reaction of Middle America to events like the shoot-out at the San Rafael courthouse is one of horror—what is the country coming to? This is true even of the liberal sector of Middle America. The seizure of a judge in his courtroom and the speedy death of the judge and his captors in the subsequent firefight makes one's blood run cold. But if that is both the first reaction and the last, what happened in Marin County is beyond understanding, and if it remains incomprehensible, only one thing is certain—there will be more of the same.

"In the view of many Negroes," writes Roy Wilkins of the NAACP, "repression has begun." The point is not whether, or to what extent, this view is justified. The fact that many Negroes believe they are the victims of repression, and that this belief has a reasonable basis, is what the nation would do well to heed. That this belief has strongest support among Negro prisoners and revolutionaries is a simple corollary. The view from within the jail is one that is not easy to share by those who live a quiet life outside. Those who run prisons, and those who make a fetish of law and order, are the least likely to understand what is going on in the Negro underclass.

Behind the violent outbreak at San Rafael is the general situation of blacks in jails and, specifically, the events leading up to the Soledad prison case. The bloodshed at San Rafael, which almost every literate American has read about or seen on TV, followed the bloodshed at Soledad, to which few Americans have paid attention and which was not featured in the electronic news. On January 13, 1970, a fight broke out in the yard of the prison, and a guard shot into the crowd of thirteen inmates, allegedly without warning. He fired four times and killed three blacks and wounded one white. The district attorney called the shooting "justifiable" *before* a grand jury investigated; the jury then agreed. This affray was followed in March by the indictment of three blacks for the murder of a white guard. The four killings, with the associated legal proceedings, constitute the "Soledad case."

Jonathan Jackson, 17 years of age, who held up the Marin County courtroom, was the brother of George Jackson, one of the convicts accused of the murder of the Soledad guard. Jonathan had no police record. His high school principal says, "I was very fond of him. Everything I knew about him was positive. He played basketball on the junior varsity and had an IQ of 117. He was a smart kid." One of the boy's teachers says, "He was intelligent, articulate and at times warm and capable of much good humor. He was also obsessed. His obsession, which determined his view of this country, was the plight of an imprisoned brother he could not really have known." George Jackson had been in prison for ten years and Jonathan had been a child when the two lived together in a family headed by Lester Jackson, a postal worker.

Jonathan may have been obsessed with his brother's case, and with the Negro militant movement in general. But his conviction that his brother was illegally and in-



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humanely imprisoned is not necessarily unfounded. A semi-official report by five Negro members of the California State Legislature contains allegations of cruel and inhumane treatment of prisoners at Soledad, such as keeping men twenty-three and a half hours a day in maximum-security cells, contamination of food, lack of medical treatment, etc. The preface to the legislators' recommendations reads: "If even a small fraction of the reports received are accurate, the inmates' charges amount to a strong indictment of the prison's employees (on all levels) as cruel, vindictive, dangerous men who should not be permitted to control the lives of the 2,800 men at Soledad."

This lends credence to the view of some observers, that the shoot-out at San Rafael is to be regarded as a major political and social event, and a harbinger of further bloodshed. Those who participated in the kidnapping regarded themselves as revolutionists and rebels against oppression. The same construction may be placed on the murder of police officers in Chicago. The black public-housing projects in Chicago have become centers of guerrilla warfare. The police superintendent attributes this to the easy availability of guns, a general lessening of respect for authority, etc. He says nothing about police assaults on inoffensive Negroes, the intolerable levels of unemployment in the ghettos, the prevalence of white racism, and similar causes of disaffection.

"It is the rigidity of the political structure . . . that has forced clusters of alienated blacks into social banditry," says Herbert Hill, National Labor Director of the NAACP. "Chicago is a classic example of a situation where criminality has become a form of primitive social protest." A primitive form, but nevertheless social protest, and it is not going to end with the killings in Illinois and California.

## A Good Beginning

The Soviet-West German treaty is, as Willy Brandt said, the end of an epoch, and a very good beginning. It is no more than that. Specifically, it does not mark the end of the cold war nor portend the dissolution of NATO. It does not tear down the Berlin Wall. But it does hold out some hope that the evil sequelae of World War II in Central Europe may yield, gradually, with two steps forward and one back, to the international cooperation that Europe, and all the world, so desperately needs.

The epoch which it ends is the sterile Dulles-Adenauer policy of rolling communism back—if possible, or, if not possible, preventing *rapprochement* between the two systems, and especially between the two Germanys. That Brandt was able to disavow this folly is a feat of statesmanship in itself. His ability to incorporate in a treaty the German recognition of the Oder-Neisse line and, as seems to be the case, to get the support of the German people for that concession, is equally noteworthy. His technique was a departure from normal political rhetoric and demagogy. He pointed out that the lost territories had been gambled away more than a quarter of a century ago: why not face the fact?

To accomplish what he did, Brandt took sizable political risks. The pact has not been ratified and Brandt's

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opponents will not overlook any opportunity to sabotage it. However, the polls indicate that 80 to 90 per cent of the German people favor Brandt's general line.

If ratification follows, it is entirely possible that East European countries will try to work out understandings with the West under cover of the provision for "improvement and expansion of cooperation" and for closer "scientific, technical and cultural ties." Talks between West Germany and Poland have been going on for some time and are scheduled to resume in September. Early agreement is likely. All the Warsaw Pact countries want less economic and industrial dependence on the Soviet Union and more trade with the West. In particular, West Germany exerts the gravitational pull of an advanced technology, quite on a par with that of the United States. The Soviet Union itself cannot but feel that attraction. In computerization, as a prime example, it is lagging. Military technology, as well as industrial production, is handicapped by backwardness in the protean field of cybernetics, computer hardware and software, etc. The last Soviet-West German trade pact expired in 1963; a new one may be expected soon. Relations between East and West Germany should also improve, if slowly.

Allied and Soviet negotiators are to resume Berlin talks in September. The Soviet-West German pact will provide a more favorable background for these discussions. It is even possible that eventually we may be able to pull back the 500,000 troops garrisoned in Europe. Senator Mansfield says that the $14 billion annual drain "is made even more anachronistic" by the pact. "It would be my hope," he says, "that the Executive branch will now be moved to act promptly to begin an orderly and planned reduction" of these forces and the dependents living with them.

With all the limitations and qualifications, the *démarche* worked out by Brandt and his capable Foreign Minister, Walter Scheel, is bad news for the hawks and militarists of both East and West, and bodes well for the sponsors of peaceful and constructive coexistence.

## Knowledge for What?

The White House has taken the unusual step of rejecting in advance the report of the special Presidential Commission on Obscenity and Pornography, the full text of which is soon to be released. The eighteen-member commission was appointed by President Johnson in 1967, in part at least because both the White House and Congress wanted to divert rather than challenge the emotional evangelism of the "anti-smut" campaign which had been organized by a small clique of professional anti-pornographers. (See "Civil War Over Smut" by Jules Witcover, *The Nation,* May 11.) The commission, which spent some $2 million on the investigation, has come up with a notably sensible report, its main conclusion being: "There is no evidence that exposure to pornography operates as a cause of misconduct in either youths or adults." But the report will not have the effect intended. Orphaned by the President, it will not be adopted by the Congress, and the mandate of the commission has now expired. Not surprisingly, therefore, the report has come under heavy attack from those determined to outlaw what is termed "hard core" pornography. Congress has more legislation of this kind on its hands now than it did before the commission was appointed, and much of it will probably be enacted.

Since the commission was not named by him, President Nixon might well have let the report speak for itself. By rejecting it in advance, he undercut whatever moderating influence it might have exerted. In much the same manner the President let it be known that he was not enthusiastic about Dr. Alexander Heard's report on the causes of student unrest. In a similar know-nothing spirit, President Johnson sabotaged the Kerner Commission report—one of the best recent commission studies—by pointedly ignoring it.

It is thus natural enough that sentiment is building up against the system of Presidential commissions. Rep. Wright Patman, for example, would place severe restrictions on such commissions and advisory groups, of which 1,600 have been identified by the General Accounting Office. The actual number may be larger. At least 200 Presidential commissions have been identified; President Nixon has named forty since taking office. One such commission has a chairman but no members, no staff, no work plan, no address, no telephone, and not even a letterhead. Mr. Patman estimates that such commissions cost taxpayers $100 million annually. A subcommittee of the Government Operations Committee, chaired by Rep. John S. Monagan, is ferreting out the facts and will doubtless recommend tighter restrictions and controls. One commission executive has likened today's commissions to comets that burst on the scene and disappear, only to be seen years or decades later when a report is issued. To Mr. Monagan they resemble satellites: "They go out, but they keep circling around, and no one really knows how many there are, or what direction they're going in."

But such criticism is directed at the degradation of the commission system, not at the system itself. A Presidential commission can be a useful mechanism if the President really wants expert advice, or feels that public opinion should be cultivated on some troublesome issue. The system is discredited when it is used to divert rather than educate the public, or when it is used to shelve an issue rather than to focus attention on it. As Carl T. Rowan has pointed out, commission reports that are not implemented merely add to "the pool of social bitterness and despair when they arouse hopes of action that those in power really have no intention of taking."

In Great Britain the commission system has been a major source of social reform, as it has been here too in times past. But commission reports that are not taken seriously by the President or the Congress are not likely to be taken seriously by the public. As Dr. Nathan Caplan, who worked on the Kerner Commission report, has said: "Goals aren't worth a goddamn thing unless there is commitment." But more to the point, if the commission system continues to be abused, as it has been of recent years, it will contribute to the disparagement of the democratic process. Misuse of the system leads to the apparent paradox that the more we learn about social problems, the less competent we are to deal with them. There is really nothing wrong with the commission system that an honest use of it would not remedy.



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## The Duffey Campaign

Joseph Duffey's victory in the Connecticut Democratic Senatorial primary is more than a personal triumph; it provides an excellent campaign blueprint for other peace candidates. Issues other than peace were stressed. Care was taken to obtain a proper mix of voters on the local Duffey campaign committees that were established in most of the state's towns—old and young and middle aged, black and white, labor and other elements. Out-of-state students were not used and students were directed to work in neighborhoods in which they were known and which they knew. A strong campaign setup was organized by Mrs. Anne Wexler. On the personal side, Duffey proved himself an effective candidate, willing to listen, knowledgeable, with a low-key, nonargumentative approach. He should win in November.

The Democrats also have a strong gubernatorial candidate in Rep. Emilio Daddario and he and Duffey will campaign as a team. Fortunately, the primary left few scars; Alphonsus J. Donahue and Edward L. Marcus, the losing candidates, have promptly endorsed Duffey, who also has the strong support of such leading Democrats as former governors Milburn Snow and Chester Bowles, Richard Lee, the former mayor of New Haven, and Senator Ribicoff. The immediate problem is to induce Sen. Thomas Dodd to refrain from playing the role of a spoiler by running as an independent. If he does run, he will draw some conservative Republican votes, but his candidacy will hurt Duffey more than it will his Republican opponent, freshman Rep. Lowell P. Weicker, Jr. Dodd has no quarrel with Duffey; his quarrel has been with John Bailey and the Democratic regulars. He owes the Democratic Party more than the party ever owed him, and he should now honor that obligation by stepping aside.

## Storm in the Cereal Bowl

Tony the Tiger and the Breakfast Food of Champions took a sock in the eye last month from Robert B. Choate, Jr., who gave detailed evidence before the Senate Commerce Consumer Subcommittee that forty out of sixty leading brands of dry breakfast cereal are little more than high-priced filler. Only twenty bran or whole grain cereal products meet reasonable nutritional standards.

Even more shocking is the extent to which the industry brainwashes children into demanding the least worthwhile products. The three brands most heavily advertised on television—Cheerios ($29.4 million last year), Rice Krispies ($3.6 million) and Frosted Flakes ($2.7 million) are all in Mr. Choate's "empty calorie" category. Unfortunately, mothers become exhausted by tearful scenes at the breakfast table or the checkout counter, and, relieved at not having to cook breakfast, let the kids buy their own cereals.

The dry cereal business is so concentrated that Kellogg, General Mills and General Foods sprawl across 82 per cent of the market. They spend a fortune on advertising —two or three times more than do other large food companies—partly because the public cannot be persuaded to eat more cereals even if the price drops. To make matters more idiotic, some of the biggest advertising appropriations are devoted to competing products from the same firm, e.g., General Mills's Cheerios vs. their Wheaties, and Kellogg's Sugar Frosted Flakes vs. Rice Krispies. The result is that people gain an inflated notion of the nutritive value of cereals—and pay inflated prices for them.

The cereal manufacturers' reply to their critics has been distinctly anemic. They dispatched their consultant, Prof. Frederick J. Stare, chairman of the Nutrition Department of Harvard's School of Public Health, to testify before the consumer subcommittee, but the best he could say was that "cereals, any kind of cereals, pull their weight and more in the nutritional picture," and repeat the industry's old argument that cereals, plus trimmings, are as good as eggs and bacon any day of the week.

Sen. Frank E. Moss (D., Utah), the subcommittee chairman, was unimpressed, and concluded that Mr. Choate's criticisms had not been answered, particularly his point about the brainwashing effects of TV advertising on children (or nutritionalists).

Battle Creek can expect trouble ahead. Supermarkets already report some brand switching in favor of the leaders on Mr. Choate's list. More pertinently, the Federal Trade Commission is studying the effects of oligopoly industries on the economy, and is beginning with the breakfast cereals industry.

Other food manufacturers will soon get their turn on Capitol Hill. Senator Moss's subcommittee has already launched an investigation of federal regulation of the whole food industry. This fall, Mr. Choate, a consultant to the White House Conference on Food, Nutrition & Health, will broaden his attack to other suspect products, starting with packaged snacks, baby food, fruit juices and cake mixes.

Meanwhile, the nation's housewives have a deliciously simple way of solving the whole problem—either boycott dry breakfast cereals, or pick a good one and learn to fix a *proper* breakfast.

JENNIFER CROSS

## The Story of Culebra

Culebra is a tiny island 20 miles east of Puerto Rico. Its acreage is about that of a good-sized American residential development but its population is much smaller—about 726. The per capita income of these American citizens is less than $400 a year. Theirs is a pleasant little island, however, with fine beaches and a good climate: it could develop a tourist industry, very likely. There is only one thing wrong with life on Culebra, aside from poverty, which, of course, Puerto Rican Americans should be accustomed to. The U.S. Navy owns a third of the island and uses it as a bombing range. Last year the farmers and fishermen were shaken up by 5,000 sorties; 9,000 are planned for this year.

The United States acquired jurisdiction of Culebra by conquest, in the Spanish-American War. In 1901, by Presidential Executive Order, all public lands on Culebra were reserved for U.S. Government use, under Navy jurisdiction. The airplanes came later. In 1941, by another



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Presidential order, all air space over the island, and the water 3 miles around it, was restricted to exclusive military use. The result is that the residents have difficulty getting in and out; they are prisoners on their own island, except when they are willing to take a chance on being bombed or shelled. Even the Governor of Puerto Rico, Luis Ferré, out cruising, almost got a Navy shell in his cabin.

The issue of the island population versus the Navy has been pending for years. The Commonwealth has been tactful and patient—perhaps too patient. At recent hearings on Culebra by a subcommittee of the House Armed Services Committee, Navy witnesses maintained that the island was a vital defense facility. The inhabitants stirred up a considerable row and demanded Navy withdrawal. The Navy countered with a demand for more acreage, if not the whole island. The only concession it made was that a free-access lane might be established.

The Culebrans have not been without friends, however. Senators Fulbright, Kennedy, Symington, Muskie and Goodell want the Navy to transfer its operations to an uninhabited island, of which several are available. As influential in this matter as the Senators, possibly, is the Washington law firm of Covington & Burling, which cuts a wide swath in capital society and business. The Culebrans' cause was taken up by two young lawyers connected with the firm, Richard D. Copaken and Thomas C. Jones. To hire Covington & Burling would cost the Culebrans $75,000 or $100,000, which they can't spare out of their $400 incomes. They have got much the same representation through Copaken and Jones, who have spent hours talking to Navy and Defense Department officials in Washington, and since May have been in Puerto Rico and Culebra three times. This is a fine example of how young lawyers nowadays are insisting on—and being granted—time out for public causes and issues. Through such efforts, the Culebrans may yet get back their island.

OSAKA EXPO

# DESIGNING THE ENVIRONMENT

**ERVIN GALANTAY**
*Mr. Galantay is an associate professor of architecture at Columbia University and practices as a consultant in urban design.*

The new Japan—pushing toward second place among the industrial powers—is increasingly alarmed that it may end up as world leader in environmental ugliness and pollution. As travelers quickly discover, the serenity of rural Japan is vanishing while the urban environment seems to deteriorate in direct relation to the rising national product. It is against this background that the theme of the Osaka Expo '70, "Progress and Harmony," must be evaluated. A postwar emphasis on production, accelerated by the shortchanging of social obligations, has multiplied factories and jobs while congestion, smoke, smog, noise and pollution have been allowed to grow unchecked.

Many a Japanese owning a car, a TV, or other signs of affluence, wonders whether his fatter paycheck is buying him a better life. In his neighborhood the beloved front gardens have been sacrificed to wider streets and parking lots. In his home, an accumulation of manufactured goods clashes with his traditional life style—as the air conditioner competes for a place of honor with the *tokonoma,* and high-legged Western-style furniture mocks the small rooms that seemed spacious enough for people sitting on their heels. Recreation space has become scarce, and every Sunday waves of sightseers compete for a quiet spot in park, temple or historic site. In once lovely Nara, the holy deer scavenge in the litter among fleets of parked tourist busses, and the sound of temple bells mingles with the screech of motorcycles. Hence the Japanese wonder whether "harmony"—the Oriental goal of life—can be reconciled with the Western drive for progress.

In search for answers the planners of this fair set out to demonstrate that a tight-packed urban environment need not be insufferable. In contrast to center cities where crowding brings deprivation—lack of shade, of water, quiet, or just a place to sit—the Osaka Expo offers an "amenity-rich" environment. On less acreage than Montreal provided, but with twice as many daily visitors, the Osaka Expo supplies the large-scale experiment that psychologists have awaited—the test on human beings of Calhoun's experiment which proved that for rats optimal social behavior can be maintained under conditions of extreme crowding, if the physical environment is meaningfully structured.

Osaka particularly needed a demonstration of this sort. It is the smallest prefecture in Japan, and on its 720 square miles live 7 million people, producing 12 per cent of Japan's gross national product. The city is the center of the second largest urban agglomeration in Japan, and has long suffered from even worse pollution problems than the Tokyo-Yokohama conurbation. Realizing that if maximum energy was to be focused on an environmental campaign a definable goal was needed, public men in Osaka began lobbying for the 1970 world's fair. They hoped that international attention would oblige the city to upgrade itself in one great leap forward. These ambitions were further stimulated by the ancient, constructive rivalry between Osaka and Tokyo. Playing the underdog theme—"second, but trying harder"—Osaka was determined to exceed Tokyo's performance as host of the 1967 Olympics. Local businessmen also told them-



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selves that, while the Olympics lasted only a few weeks, Expo would attract hundreds of thousands of visitors daily for six months, thus justifying an investment more than five times the direct cost of the Tokyo Olympics. Yielding to considerable arm twisting by Expo's president, the amazing 83-year-old Taizo Ishikawa, the central government agreed to supply two-thirds of all costs. Meanwhile the municipal planners accomplished the miracle of turning Osaka into an environment-conscious city, with a valid claim to leadership in the worldwide struggle against pollution. They first promoted a "plant more trees" campaign and built small-scale river-front parks. Then, pointing out that the city's slow-flowing rivers smell like rancid fish soup, they enlisted support for a comprehensive River Basin Joint Sewerage Project. Finally realizing that the main cause of water pollution is the concentration of upriver industries, the planners boldly moved to restructure the city by creating vast new industrial estates on land reclaimed from the harbor. To check air pollution, a control center has been established, its mechanism recalling the air-defense panel of World War II. The air is now continuously monitored by telemeters, analyzed by computers at the center. When warning lights blink, indicating high levels of contamination, the polluting factory or power plant is ordered to suspend its operation and install filtering devices. As a result of such vigorous measures, the fallout of dust and soot has already been considerably reduced.

The pull of Expo also helped to stimulate long-planned transportation improvements. The subway lines have been doubled from the track mileage of 1945; the city has built 50 kilometers of urban expressways and an ultramodern international air terminal, and has modernized its port facilities. To create more space for pedestrians, numerous "underground towns" have been built, their air-conditioned shopping arcades embellished with fountains and plazas. The construction of subways and expressways has been coordinated. Shin-Mido-Suji Expressway, which connects the city's gingko-lined main avenue with Expo, carries a rapid-transit line in its center. Even more impressive is the twelve-lane Chuo-Odori Expressway, which runs through town on top of 4-story warehouses and offices which the city leases to wholesalers. Below street level, two floors of shops connect with the subway concourses. This expressway cost $80 million per mile, setting a new world record. When Emperor Hirohito solemnly opened Expo at 11 A.M. on March 14, the city and prefecture of Osaka, having spent $2.3 billion on civic improvements, was ready for inspection by the international visitors.

The site of Expo was chosen for its accessibility from Kyoto, Osaka-Kobe and the new international airport. It is in the Senri Hills, about 12 miles from Osaka, in suburban surroundings which can hardly compete with the startling island site of the Expo at Montreal. On the other hand, the Osaka fair is directly adjacent to Senri New Town, completed just in time for the opening of the fair and a major showpiece of what the Japanese see as their future urban environment. In scale, as in social planning, it is a more meaningful exercise than was the preposterously extravagant concrete pile of Montreal's "Habitat." It is a pity that little attempt is made to funnel Expo visitors through the New Town, thus exposing masses of contemporary man to innovative ideas in urban living.

Senri New Town was built from 1963 to 1969 as a joint venture of the Osaka Prefectural Government and the Japan Housing Corporation primarily as a dormitory satellite for the "overspill" population of Osaka. Its planning is based on clusters of 50 to 100 dwelling units around a kindergarten, and residential sectors of 10,000 to 12,000 people served by a school and a shopping subcenter. To date, 37,330 dwelling units have been completed, housing some 150,000 people. The town occupies 3,000 acres, less than half the area considered minimum for a New Town of comparable population in the United States. (Columbia, Md., sprawls over 11,000 acres.) By concentrating the buildings in clusters and including a fair amount of high-rise apartments, it was possible to reserve 46 per cent of the area for open space, parks and greens, as well as roads. Average investment per dwelling unit was $14,000, a fraction of what it would have cost in congested Osaka, where land sells at more than $3,000 per square yard in the most desired areas.

The proximity of Senri New Town facilitated the building of Expo, and many of the fair's 20,000 employees live there. In return, the transportation network provided to serve Expo will permanently benefit the New Town, which is now connected to Osaka by two rapid-transit rail lines and two expressways.

There is much discussion about the future use of the Expo site. Its 64 acres of formal gardens, its extensive lakes and some of the buildings—the museums, for example—will remain; all other structures will be removed. It has been suggested that the entire site be preserved as a regional park, to compensate for the shortage of recreational space in the prefecture. Gov. Gisen Sato favors dedicating the site as a World Environmental Center of the United Nations, as well as a UN-affiliated technical university for students from developing countries. Since Japan spends $1 billion a year on aid to developing nations, it qualifies for this plum from the world organization. Considering also that the UN's administrative organs are all centered in the United States and in Europe, the Osaka center might be an appropriate gesture to the non-Western member countries.

The establishment of these UN institutions, together with a new campus for Osaka University, would provide a sufficient employment base to turn Senri into a more self-contained New Town. It would thus be the model for a new kind of post-industrial town, centered on communications and education rather than on manufacturing and distribution.

Expo itself occupies some 815 acres, not much, considering the half a million visitors that crowd it on holidays. The unprecedented problem of moving such crowds, not just efficiently but comfortably, has been solved by chief architect Kenzo Tange with a multi-speed movement system. The ground level of the site is reserved for strollers, for sitting and relaxing. Above, in elevated tubes, mechanical carpets transfer dense columns of visitors from the entrances to the central Festival Plaza and other distribution points. The larger pavilions


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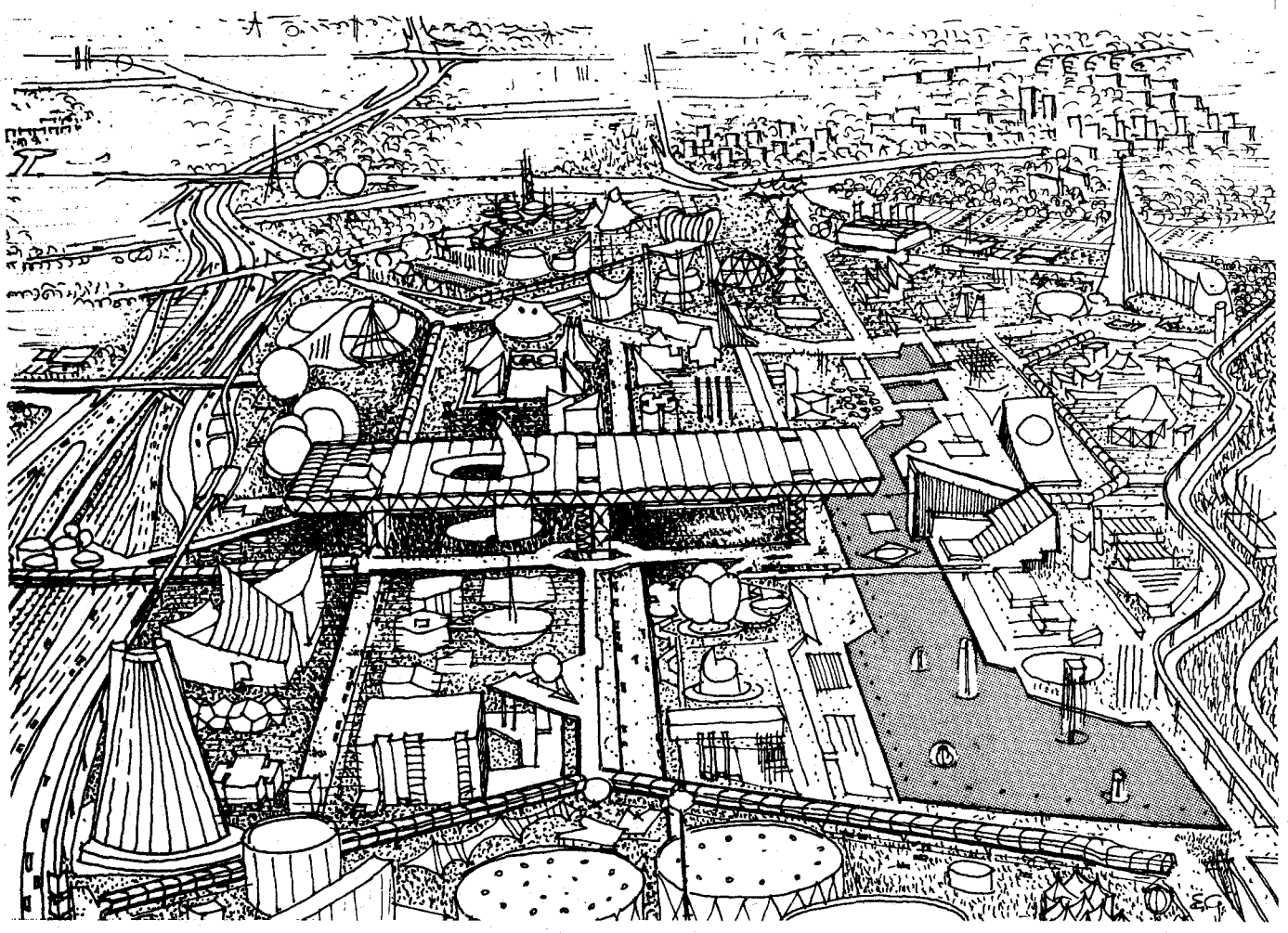

are entered from these elevated stations. The entire site is circled by a monorail which offers a comprehensive view of the fair, and for a bird's-eye view one can ride to the top of Expo Tower, from where Senri New Town can be seen as well. Looking down from the tower one is astounded by the orgy of color. In contrast to Montreal, where the architects were instructed to use simple forms and subdued colors, Tange assumed a "let all flowers bloom" attitude toward the individual pavilions, confident that the strict geometrical matrix of his movement system would hold the bouquet together. As an example of public order combined with individual exuberance it is a lesson for planners everywhere.

Expo '70 boasts of having secured participation of more foreign countries than did any previous world's fair. The new mini-states are well represented, since Japan offered to build their pavilions free of charge. Among other world's fair debutantes are Portugal and Bulgaria, both of which contributed surprisingly sophisticated exhibits. Conspicuously missing is Red China, which denounced Expo as a hostile propaganda stunt concocted by "American, Russian and Japanese militarist interests." As if celebrating Red China's absence, both Taiwan and South Korea built exuberantly large and beautiful pavilions.

The tallest structure is the painted steel pavilion of the USSR, shaped in the form of a three-dimensional sickle. Disregarding the "progress and harmony" theme, the Russians saw fit to present a Byzantine display of the life and works of V. I. Lenin of such solemn tedium that most visitors use the first door to escape to the adjacent Czech pavilion—a sensitively designed, low-silhouetted building which during most of the day is literally in the shadow of the USSR's Disneyland Matterhorn.

In contrast to the monstrous visibility of the Russians' pinnacle, the U.S. pavilion is so flat as to be almost invisible. Thus it seems appropriate for a nation seeking a low political profile in the world. It is common knowledge that the designers first proposed a more "high-bosomed" (since it consisted of a pair of balloons) scheme, but that the Administration preferred the present flat-chested ellipse. The fiberglass and vinyl roof of the U.S. pavilion is ingeniously supported on an "air-cushion" —interior overpressure being maintained by four blowers. This columnless roof spans an oval area of 3 acres, but partly because of its flatness, partly because display structures break up the visual sweep of its vast span, the space totally lacks the excitement one would expect from such a revolutionary structure.

Nevertheless, the American exhibit draws the largest crowds, primarily because of interest in the "moon rock," a gray chunk of pumice about the size of an ostrich egg. The rock is certainly the physical proof of a great enterprise—as well as of an extravaganza of arrogant afflu-



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in appearance it does not compare with the ignity of iron meteorites which have come to earth from outer space. However, on the Japanese the "moon rock" exerts a mysterious fascination; it seems to contain in divine essence the very *kami* of the moon, and they file past reverently at a rate of 8,000 persons per hour. Other exhibits at the U.S. pavilion—sweat shirts of baseball greats; American Indian trinkets, etc.—are well intentioned, although Claes Oldenburg's "self-inflating ice bag" is generally interpreted as a practical joke at the expense of the Japanese, which indeed it is.

Perhaps because of bureaucratic meddling, the official Japanese pavilions are less ingenious than the entries by private industry. Thus the Government Pavilion, which deplorably resembles a group of gas tanks, is the result of a desire to embody the Expo symbol of the five-petal cherry blossom. The displays inside are equally heavy-handed: the cultural exhibits—mostly copies and photographs—cannot compete with the original art works easily accessible from Expo by a short train ride to Nara or Kyoto; while models publicizing technological achievements pale in comparison with Expo's full-scale demonstration of technical ingenuity.

By contrast the Theme Pavilion, designed by Tange, provides an overwhelming experience. Built above the heart of Expo's movement system, the vast roof is a shelter for mingling and excitement and serves both as a covered forum and as the stage for programmed happenings. The roof is a 30-foot-deep space frame covered with plastic; although it weighs 4,700 tons and measures 1,000 feet by 360 feet, it seems to hover, being supported on only six columns. The architecture suffers somewhat from being interpenetrated by Tara Okamoto's "Tower of the Sun," a 205-foot-high hollow sculpture with a potato-nosed baby face lifted from Olmec art and not unlike a melting snowman.

Some of the industrial pavilions try to reconcile progress with harmony by wrapping technological displays in traditional temple architecture. Thus the Furukawa building is a hybrid "East meets West": the tower is the copy of an ancient pagoda; the basement features an electric organ that plays Bach. More militantly progressive is the Fuji group's obscene caterpillar consisting of sixteen gigantic "air beams," a structure of breathtaking, innovative ugliness. Japan's "Metabolist Group" of architects used the opportunity provided by Expo '70 to experiment with science-fiction architecture. Most popular with children is their Observation Tower, and the Sumitomo group's futuristic city consisting of flying saucers, launching pads and escalators.

The most beautiful structure of the fair is Switzerland's aluminum tree. Branching out from a single trunk with a crown 170 feet wide and 65 feet high—its abstract filigree arms tipped by 32,000 light bulbs—the 500-ton structure is precision engineered to appear weightless. At night it is of an eerie beauty; by day it casts a luminous semi-shade, the space beneath the tree being a favorite resting spot for Japanese schoolchildren who squat there in orderly formations like flocks of migratory birds. The structure had to be designed to withstand typhoons of 150 miles per hour and cost $1 million, but it is worth every penny as an overwhelming demonstration of the perfectionist standards of Swiss industry, of technology turned Art.

Even more than Montreal, the Osaka Expo demonstrates that visitors who are eager to see as many pavilions as possible are unable to profit from educational exhibits and have no patience to absorb a mass of written technical information. Attempts to replace graphic displays by multi-media presentations—pictures and noises projected simultaneously on a multitude of screens—are not just tiresome but overstimulating, and acutely irritating. One quickly tires of technical trickery and the gadgets frequently break down—France's "scent organ" much of the time disperses hot, stale air. Perceptual fatigue makes visitors grateful for quiet corners like the serene bamboo grove outside the Matsushita pavilion, enjoyed and photographed more than the pretentious time-capsule display inside.

Another lesson of Osaka is that the most interesting exhibits are *people*. Fairgoers want to see and rub elbows with people from other nations. Yet at Osaka 95 per cent of the visitors are Japanese and the occasional American sailor stands out like a giraffe in a herd of kudus. Hence the popularity of the Canadian Mounties and Italian *Carabinieri*—much photographed and incredulously fingered by some—and of the Anzac-hatted Australian hostesses who tower schoolmarm-like over the camera-clicking Japanese males. In the pavilion of Abu-Dhabi, the doe-eyed girl sensuously demonstrating the application of jasmine love oil creates more instant interest in the small country than all the slide shows of its oil wells and sheiks.

The desire for "participatory observation" accounts partly for the tremendous success of the national restaurants where ancient Japanese farmers spend $7 on Scandinavian smorgasbord or perplexedly sample Iranian caviar. On the other hand, visitors looking forward to "participatory observation" in a red-light district are disappointed to find that the Osaka police, following Tokyo's example during the Olympics, discourage solicitation by the flower girls and have locked up some of the more enterprising "Mama-sans" for the duration of the fair. As if to symbolize these aborted hopes for contact, there are numerous lifelike plastic dummies at Expo, lending it a surrealistic note. They represent ordinary people, sitting on benches, sleeping in the grass or seemingly working on rooftops—as if the ghosts of long-dead visitors of previous Expos were among the living.

Perhaps profiting from its experience at Montreal, Canada intelligently focused on the "people as exhibits" idea and allocated $2 million for live shows alone. Accordingly, the Canadian pavilion is not so much a building as a space, a court defined by four triangular prisms sheathed in mirrors. The center of the court is a pond with a stage in its middle, sheltered by multicolored rotating parasols, which are justifiably rated among the artistic high points of the fair.

It is easy to be overwhelmed by the accidentals of Osaka Expo—its fun and bustle, the amusing and irritating details of the exhibits. But are they the true purpose of the costly international fair ritual? I think


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a better justification lies in the experiments in urbanity and with macroform, like Tange's planning concept and movement system. And among the residual values one must count the civic improvement of the host city and its changed status in the minds of its inhabitants and the rest of the world. Cities do not develop gradually; for long periods they muddle along without much change, and it requires the introduction of some outside force to overcome inertia. Sometimes the impact of a great design vision will suffice, more often the push of an emergency or a disaster is needed. One such force today is the world's fair, with international attention providing a motive for the selected city to propose innovations and upgrade its metropolitan equipment. The dynamism thus started often proves self-perpetuating: i.e., Montreal, with scant qualification in the world of sports, but favored as the successful organizer of Expo '67, has since been awarded a major baseball team and the Olympic Games.

The sudden upsurge of civic pride is what makes the host city exciting and that is why international events are wasted on the largest cities. New York's World's Fair was a flop, not just because of poor leadership but because it was just another show in town, hardly touching the daily life of New Yorkers. But for cities of the size of Brussels, Montreal or Osaka, an Expo can be the one thing upon which all forces and interests coalesce. □

REBELLION IN WASHINGTON

# War Is Hell for Senator Jackson

**BERNARD WEINER**

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*Spokane*

Sen. Henry M. "Scoop" Jackson, commonly referred to in this state as "the honorable Senator from Boeing," is the perfect political expression of the military-industrial-labor complex. Having been mesmerized long ago by the prevailing myths of the cold war, Jackson over the years has become Senator Superhawk in the Congress on the issues of the Indo-Chinese War, nerve gas, ABM, MIRV, SST, and any other alphabet scramble that can prime the defense-space industries' pump. It is no wonder that Jackson, though a loyal Democrat, originally was Nixon's first choice to be Secretary of Defense.

Jackson is up for re-election this year. A defeat, or even a close call, would have national ramifications, revealing the depth of anti-war frustration among the Middle Americans who mostly populate this state. Until the recent State Democratic Party Convention in Spokane, Jackson was thought a sure-fire winner. After all, he has eighteen years of seniority and a dear friend in the White House; why would the voters want to change?

Both Republican Gov. Daniel J. Evans and GOP state chairman C. Montgomery Johnson have expressed concern over "the illicit love affair" between Senator Jackson and President Nixon. "Just when I was getting people convinced that supporting Jackson was bad," Governor Evans is quoted in the *Oregonian* as saying, "the President put his arm around him at a national VFW convention and said what a great Senator he is." Both men have confessed that "White House cooperation" with Jackson has made it extremely difficult to field a strong Republican Senatorial nominee—the kind that might draw independent and disaffected Democratic votes. The two Republicans who could knock off Jackson—liberal Governor Evans and Secretary of State Lud Kramer—were advised not to run, even though the latter was champing at the bit. As a consequence, the probable Republican nominee is state Sen. Charles W. Elicker, a likable sort whose claim to fame is his Theodore Roosevelt-style mustache. He has announced that he will campaign on the issue of "bigness." Studiously ignoring the great issues of war and peace, Elicker fired his marshmallow salvo: "If we could find a common thread to all our domestic problems—campus unrest, crime, welfare, the breakdown of our transportation system—we would end up with one word . . . bigness." Such is the opposition the Nixon Administration wishes to put up against one of its favorite Democratic Senators. Because of an intra-party dispute between the state chairman and the King County (Seattle) chairman, another conservative candidate is running in the Repubican primary against Elicker, Seattle attorney John Reed. There are also several nobody-candidates.

The Republicans have never run a candidate of any stature against Jackson; as further evidence of his seeming invincibility, it was reported several months ago that key Republicans had this year raised a $100,000 campaign war chest for their Democratic Senator. The only opposition in the Democratic primary, to be held this September, is Carl Maxey, a little known black lawyer from Spokane, the head of the liberal but weak Washington Democratic Council (similar to the CDC in California) and who was a campaigner for Eugene McCarthy in 1968.

That was several months ago. Things rapidly changed. The first sign that something was happening in this moderate-to-conservative state occurred at the King County Democratic Convention, which took place shortly after Nixon's invasion of Cambodia. Not only did the convention turn its back on Jackson to endorse Maxey in the primary but it also called for impeachment of the President. The busy little Kennedy-McCarthy bees had taken over the state's largest hive in but two short years.

Refusing to admit publicly that the King County convention was a warning, Jackson pretended unconcern.



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The Maxey endorsement was a simple aberration, he suggested, arising no doubt out of momentary fears and dismay following Cambodia and Kent State; the people would vindicate him, and Nixon's policies, at the polls in September.

About the same time, Thurston County (which contains Olympia, the state capital), also endorsed Maxey; quietly around the state, Maxeyites were burrowing deeper into the party machinery of each county delegation, particularly in urban-oriented areas or in counties where there were colleges and universities (Bellingham, Yakima, Kelso, Tacoma, Seattle). Some of these amateur politicos were young—cynical after the 1964 and 1968 elections but willing to give the system at least a half try more; more were the older Kennedy-McCarthy liberals who, driven by the continuing and expanded ruthlessness in Indo-China and the consequent neglect of a festering domestic scene, found themselves moving, perhaps reluctantly, into the fringe areas of incipient radicalism with Maxey.

Around this time also, serious inflation and recession began to hit Washington. Boeing, the state's largest employer, started to lay off tens of thousands of workers as defense contracts were lost. The unemployment rate in Seattle soared to 13 per cent of the job force. (It is expected to go as high as 18 per cent in the next few months—nearly one out of five persons out of work.)

Jackson was still playing it calm in public, but one could easily gauge his private feelings as he orchestrated the firing of howitzers at this damnable gnat, Maxey: *Reader's Digest* published a glowing article describing Jackson as "a great American statesman"; the political analyst of one of the state's major newspapers, the Hearst-owned Seattle *Post-Intelligencer,* suggested Jackson as potential Presidential timber for 1972; earlier, Nixon had allowed Jackson to take the credit for stopping the shipment of nerve gas through the state, and just before the state convention opened (surprise!) the President announced that the ailing Boeing firm would be awarded a $170-million contract to develop prototypes for a new flying radar station.

That left the Democratic state convention for Jackson to hurdle. He didn't make it. Both sides came to Spokane uncertain as to their strength. Thus, rules were quickly adopted prohibiting pre-primary endorsements, neither Jackson nor Maxey wishing to be embarrassed by a defeat. This meant the convention fight would center on the platform, written by the liberal-radical forces, and controversial resolutions, such as one which would bar party support to candidates who were members of racially exclusive social organizations (Jackson is an Elk).

The first day of this two-day vendetta was devoted to speeches by announced candidates for various offices. Jackson declined to appear, saving his entrance for the following day, when he would introduce Warren Magnuson, the state's senior Senator who would deliver the keynoter. Maxey went after Jackson. "Henry, oh Henry, wherever you are," he roared into the microphone, "come on out and debate the issues." The crowd exploded. "Is the United States Senator too proud to appear on the same platform with his black brother from Spokane and debate the issues?" Whoops from the delegates, and from the Maxey supporters, mostly young, who were packed into the galleries.

Maxey—a political novice who doesn't believe in mincing words—then went on, in a stinging speech, to rip into Jackson for his support of nerve gas, for his not denouncing the Carswell and Haynsworth nominations, for his fervent advocacy of the Indo-Chinese War from its very beginnings, for his support of the ABM system, MIRV, the potentially ecologically destructive SST planes.

As substitutes for Jackson's favorite military-industrial projects, Maxey listed his own: an immediate end to the war; an immediate granting of amnesty for those conscientiously opposed to war and who have fled; an immediate enforcement of fair hiring practices in labor unions; an immediately initiated guaranteed annual wage; an immediate slashing of military strength and spending; an immediate end to MIRV and ABM construction; the immediate release of Bobby Seale and Huey Newton, and so on. He said his candidacy was to represent "the young, the old, the black, the poor, and those who will form a *coalition of conscience* to protect peace for the people. We will not be turned around."

When he finished, the convention floor and galleries exploded with applause and mass flashing of the peace sign, the dominant symbol of the convention. We at the press table were standing on chairs, trying vainly to gauge the strength of the Maxey forces. Could they carry the far-Left platform and thus inflict an embarrassing defeat on Jackson? It was hard to say; it looked as if



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anywhere from 40 to 45 per cent of the 1,200 delegates were on their feet applauding.

That night, while the party regulars were throwing a $15-per-plate banquet at the big hotel downtown—with Jackson, Magnuson and Sargent Shriver in attendance—Maxey was holding a $3.50 (if you could pay) soul food dinner at the local Unitarian church. To the 500 or 600 who showed up, he expressed confidence that they had the Jackson forces on the run. "If they hold a demonstration for Jackson on the floor of the convention tomorrow," said Maxey, with a wide grin, "we'll have to get out there with our own demonstration and stay there until they holler uncle." He raised the clenched fist.

He also told them, in a more reflective mood, that the liberal/radical forces they represented were perhaps the last buffer between "total anarchy" (violence and destruction) and "law and order" (repression); if the system wouldn't recognize the validity of that position, it was going to commit suicide.

The next morning, when Jackson was presented to deliver the introduction for Magnuson, a huge pro-Jackson demonstration wound its way through the massive Coliseum, to the tune of *Happy Days Are Here Again*. The Maxeyites were nowhere to be seen. Suddenly, in they poured from the rear of the auditorium. They merged themselves with the Jackson demonstration and, by sheer numbers and energy, destroyed it. It could have been a riot, but for the most part the shoving and pushing and name-calling was good-natured. Then the Maxeyites worked their way up to the stage, where Jackson and Magnuson were modeling for the photographers. One black youth seized the mike and began chanting "Peace Now!"; more delegates surrounded Jackson with a sea of Maxey posters. By this time, the convention was in utter bedlam, with "Peace Now!" echoing loudly off the curved Coliseum ceiling, drowning out the few remaining calls for "Scoop."

A photographer for *Northwest Passage*, the Seattle-Bellingham underground paper, who was near the Senators during the chaos, heard Jackson say to the temporary chairman, "Let's just get these bums off the stage!" The chairman tried four times over the now retaken microphone to gavel the convention to order, but the Maxey people wouldn't be stopped. The peace demonstration lasted for fifteen minutes.

When a shaken Jackson finally was able to speak, he said little, and made no references to the war, to Maxey, to the polarization which was tearing the country (and the convention) apart. His only desire, it was clear, was to make his obligatory appearance and get out of there alive. Jackson, a cold political personality with a low boiling point, was nervously upset by this powerful affront to his dignity and his philosophy—if not necessarily to his election chances.

Magnuson—who in Washington State is a beloved, if somewhat befuddled speaker—delivered a folksy keynoter, filled mostly with anecdotes and old-time denunciations of the Republicans. However, at one point, the more liberal Magnuson called for "a complete rearrangement of our national priorities," which of course was the demand of the Maxey people. The applause was prolonged, and Jackson turned a whiter shade of pale.

Perhaps that was what threw Magnuson off. He had been brought in by the regulars to endorse Jackson and incidentally, perhaps, take some steam out of the convention pressure cooker. But somehow or other, by the time he finished his prepared address and started to walk off the platform, he had absent-mindedly forgotten the endorsement. Someone quickly flashed him a cue, and the elderly Magnuson strode back to the podium and reminded the convention that he firmly supported Jackson. There was almost more laughter than booing in the hall. The Senators left the auditorium and the real tests of strength began.

The first test vote came on the election of the permanent chairman. By a vote of 613 to 570, the Jackson man won. At that point, it seemed certain that the platform would be amended enough to salvage Jackson's pride.

But then the voting began on the more controversial items and on vote after vote, the Maxey forces were able to squeeze by. On the most controversial item—amnesty for draft resisters, army deserters and exiles in Sweden and Canada—the margin was a bare ten votes. Obviously, some Jackson supporters were defecting on matters of conscience.

And so it went: passage of platform planks calling for support of the Hatfield-McGovern amendment, for a Washington law similar to the Massachusetts act protecting draftees from fighting in undeclared wars, destruction of all nerve gas, elimination of the draft, recognition of Red China, national health insurance, marijuana cases to be classed as misdemeanors and legalization of the drug to be considered, a resolution condemning candidates who were members of the Elks, and so on. The salt was really being rubbed into Jackson's wounds.

Of course, it may have happened in Spokane that the liberal-radicals won the battle but lost the war. They may have been able to control the party process this one time for this one convention—and may have been able to turn out a platform far to the left of anything the traditional politicians can run on—but do they reflect at all accurately the great majority of Washington voters, or will Jackson gain a more ringing victory at the polls precisely because of this "take-over" of the Democratic Party by "militant, radical weirdos"? It is equally plausible, though not terribly likely, that continued inflation, recession, high unemployment and the endless war may breed growing disenchantment with Jackson by September. (A recent poll of the 2nd Congressional District by Rep. Lloyd Meeds showed that a substantial majority in this largely conservative area would like to see cutbacks in defense-space spending and more money devoted to HEW-type projects. Is this an accurate reflection of lost Jackson strength?)

In the meantime, the great showdown between the forces of moral politics (Maxey) and "practical politics" (Jackson) has taken place right out in the open, as it probably will elsewhere in the country with even nastier conventions. In spite of the relative chaos, this one in Spokane was remarkably orderly, even polite.

It was also the first state convention in the party's history at which 18-year-olds could attend and vote as delegates—as one of them put it, just like the "big peo-


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ple." They are average American youths, with their hair only a little long, but if they are evidence of what lies in store across the country, the Jacksons of the present and future are in trouble. The young voters are new at this brand of theatre, but they are learning their parts well, with new tricks based on their militancy. Spokane 1970, with its radical credentials, and where their votes may well have swung key issues, may be enough enticement for them to take the whole thing over.

A more interesting question is: what if they succeed in neutralizing the party's more conservative element? Do they, can they, represent enough people to elect officials and alter policy, or will they simply be absorbed into a new pilot series in the political drama: fun, hard work, keeping them out of the streets, but ultimately meaningless? And will they force the silent middle further into the camp of the increasingly reactionary Republicans?

At the least, the Spokane convention demonstrated that young people can be drawn into the regular political process when the issues are right—and when a commanding personality like Maxey emerges to lead them into battle. Anything's possible—even the forced retirement of Senator Superhawk. □

**"Rape . . . an accusation easy to be made, hard to be proved, but harder to be defended by the party accused, though innocent."—*Manual for Courts-Martial***

# THE ORDEAL OF L/CPL. JOHNSON

**RICHARD OLIVER**

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The *Manual for Courts-Martial,* the official handbook used by all United States Armed Forces in trying those accused of a crime, carries a warning about rape: "It is true that rape is a most detestable crime . . . but it must be remembered that it is an accusation easy to be made, hard to be proved, but harder to be defended by the party accused, though innocent." And, one might add, it is even harder to overturn a conviction for rape.

That is one of the lessons to be drawn from the rape case of L/Cpl. Ronald V. Johnson, a 20-year-old black Marine from Brooklyn's Bedford-Stuyvesant, who was tried and convicted of raping a girl at a Marine Corps camp on Okinawa in 1968. Including time in the brig in pre-trial confinement, Johnson spent more than two years behind bars. Now the conviction has been set aside and he is awaiting an unprecedented second court-martial. The case is the only one on record in which the military (as opposed to the civilian courts) has granted a convicted prisoner a new trial—a fact which must be considered remarkable, since more than 100,000 courts-martial are convened annually in the Armed Forces. (Further, only two cases are recorded in which the civilian courts have overturned military court-martial convictions.)

Freed, and with his rank restored, Johnson has been returned to the scene of the alleged rape to await decision on his new trial. According to his civilian attorney, Thomas J. Cleveland of the Bedford-Stuyvesant Legal Services, there is a good chance that the new court-martial will never be convened, and that the rape charge against him will be dropped for reasons of practicality and to save the military from further embarrassment. Another Johnson court-martial would reveal a hopelessly complicated legal snarl, and expose to public scrutiny serious allegations against the original court of fraud, racial conspiracy, official somnolence and connivance, and long months of bureaucratic indifference. Indeed, step by step, the Johnson case is an indictment of the entire system of American military justice.

Johnson was charged with the rape of Yoshiko Koki, a 20-year-old Okinawan national, while he was on guard duty during the early morning of April 27, 1968, at Camp Hague, Okinawa. The young Marine had enlisted in June of 1967 for a four-year hitch. Prior to the rape charge, he had had a good service record and he seemed to be especially proud of being a Marine. For example, he used to send his mother chest-thumping barracks poetry about the Fighting Leathernecks.

He was tried by general court-martial on August 30-31, 1968. The government's case was fairly simple and routine for rape cases. The key witness was the alleged victim, Miss Koki, an employee at the Camp Hague enlisted men's mess hall. She testified through an interpreter (she speaks Japanese and but little English) that at about 4:35 A.M. on April 27 she was attacked by two men, one white and one black, while walking from the main gate to the mess hall. The white man, she said, held her on the ground while the black man ripped open her dress, removed her underpants and had sexual intercourse with her. She said she had tried to resist but without avail. The dim light—dawn was an hour away—permitted her a glimpse of the Negro, a man she had seen many times previously at the mess hall. A half-hour later, she continued, after changing her clothes and combing her hair, she reported the incident to the head waitress. Shortly thereafter, at the guard shack, she identified Johnson as one of the two assailants. That same day she was taken to a U.S. Army hospital on the island but refused to be examined because, she testified, she was menstruating. Finally, she positively identified Johnson, who was seated in the court-martial room, as the person who had raped her.

The government's second most important witness was a L/Cpl. Dennis R. Moyer, a white Marine from Balti-



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more who was on guard duty at the main gate on the morning of April 27. At about 4:05 A.M. that morning, he said, he and Johnson had had a conversation. He testified that Johnson told him he was "going to wait for a mess hall *nesan* [Okinawan girl] to come through and he was going to lay her." At about 4:35 A.M., Moyer continued, Johnson and Pfc. Stephen C. Ribisi, a white Marine, approached the gate and yet another conversation took place. He said Johnson pointed to a girl who had just entered and said, "That's the one. I'm gonna lay her," after which Johnson and Ribisi headed in the direction of the mess hall. About an hour later, Moyer continued, the girl appeared at the guard shack and, "She seemed to be shook up." Then, sometime between 5:30 and 6 o'clock, he said, Johnson approached and told him: "Well, I did it, and I'm going back to change clothes." Moyer said he noticed that Johnson's trousers were wet around the knees.

Testimony from other government witnesses placed Johnson in the area at the time of the alleged attack and put into evidence a torn dress and a woman's shoe, identified as Miss Koki's. But the additional testimony was merely icing on the cake. Realistically, Johnson stood convicted by the words of Miss Koki and Moyer. It is interesting that Ribisi, who was charged with being the accomplice, was tried at a separate court-martial a few days after the Johnson trial. He was acquitted, apparently because Miss Koki was unable to identify him.

Johnson was defended by a young Naval officer who, for reasons unexplained, was brought in at the last moment; in retrospect, he seems to have been woefully unprepared. Johnson had requested that he be represented by a civilian lawyer. In July 1968, his mother, Mrs. Ethel Johnson, received a letter from an attorney named Howard B. McClellan of Urasoe, Okinawa, stating that Ronald had asked him, McClellan, to defend him. The letter went on: "I advised Ronald that I would not be able to undertake his defense without first receiving a retainer in the amount of $1,000. Unfortunately, I am extremely busy on other cases and I must ration my time among those clients who pay for that time. Ronald then stated that you would provide the funds required." Further on, the letter said: "I can fully appreciate your son's apprehension. Rape is a capital offense under military law. Of course, I do not believe that the death penalty would be invoked in this case, because no permanent injury was claimed by the girl. A long prison term might result, however." McClellan closed with an assurance that Ronald would be adequately defended, whether or not his family got up the $1,000. "Ronald simply believes that my years of experience may stand him a better chance." The mother later recalled, "I just don't have that kind of money. I told him I couldn't afford it. That was just the retainer, God knows what the fee would be."

At the court-martial, Johnson's defense concentrated on poking holes in the Moyer testimony. It was pointed out that Moyer had switched stories in the space of three days. At a pretrial hearing on June 3, he stated under oath that he had, indeed, seen Johnson shortly after the time of the alleged rape, but that the defendant had said nothing at the time and that at the time nothing about him seemed unusual. He further stated that Johnson's trousers were not wet. But three days later Moyer went to his commanding officer and asked that the investigation be reopened. And, on June 6, Moyer volunteered the testimony that eventually helped convict Johnson at the court-martial. The officer who conducted both pretrial hearings said in a report dated June 8, 1968: "Prior to L/Cpl. Moyer's second statement, evidence was insufficient to determine either the guilt or innocence of L/Cpl. Johnson." If Moyer had not changed his story, there probably would have been no court-martial.

As it was, Johnson's defense argued that Moyer had changed his pre-trial testimony only when it appeared that no charges would be lodged against Johnson. Moyer said he switched because he "started feeling guilty" and because he felt that if Johnson got away with rape on Okinawa "he might do it in the States and it just might be my sister or my relation or something." But the defense bore down on Moyer. A white Marine testified that Moyer had once told him he would "burn" a Negro if he ever got the chance. One witness said Moyer was among a group of white Marines who referred to blacks as "niggers." There was also defense testimony about racial "riots" at the enlisted men's club.

Johnson's cousin, L/Cpl. Ronald E. Kennedy, was called as a defense witness. He told of a fight he had had with L/Cpl. R. R. Morissette. Morissette, he said, had "snatched me by the collar and called me a boy, and he struck me once." Kennedy said that Moyer, who was present at the time, commented: "They're all the same." The date of the fight, he said, was June 4, between the times of the pre-trial hearings. Kennedy also said that Moyer had told him a few days earlier, "It looks like your cousin, Johnson, will get off."

Johnson testified on his own behalf and said he had never talked to Moyer on the morning of the alleged rape. He said that from the moment of his arrival on Okinawa, "I been degraded, I been called 'nigger,' I've been harassed by Martin Luther King's death." (He later explained that shortly after King was assassinated, three weeks prior to the alleged rape, somebody hoisted up a bed sheet on a flagpole. It bore the legend: "Good! the nigger's dead." It remained flying for most of the day, Johnson said.) Johnson also testified that he was the only Negro present when Miss Koki identified him. He said he felt that Moyer implicated him because of racial prejudice. Finally, he said, he did not rape the girl.

The defense failed to probe into the girl's character and credibility. Many months later, evidence would be presented indicating that Miss Koki had had an abortion just prior to the "rape." Other evidence would implicate her in a plot to frame Johnson. And she would be described in an affidavit as "a whore [who] sold herself outside of Gate 2 at Camp Hague." Yet the following verbatim testimony represents the only serious effort of the defense with respect to the girl's character:

> Q. Miss Koki, I believe you stated that you are not married. Is that correct?
> A. Yes.
> Q. Have you ever had sexual intercourse with a man?
> A. Yes, I had a boy friend who went back to States already.



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Q. Do you know approximately how many times you had intercourse with him?

At this point, the government counsel objected, contending that the question was "going a little too far," but he was overruled. Miss Koki replied:

A. The period was so short, so one or two times.
Q. Have there been others, other than this person who went back to the States?
A. No.

At another point in the cross-examination, Miss Koki was asked about the attack itself:

Q. Now, Miss Koki, let me clarify one point. You testified that the Negro placed his penis into your something, and I did not understand. Would you clarify, please, with the least amount of embarrassment as possible.
A. It was only for two or three minutes, that person who put into my part.
Q. (To the interpreter) Into her part?
Interpreter: Secret.
Q. Secret part?
Interpreter: Yes.

The matter of Miss Koki's "secret" would be raised later during appeals. Johnson's defense would contend, unsuccessfully, that the above testimony only speculates that a penis was placed into her vagina, although in a rape case proof—not mere speculation—is required. Of course, the problem might have been avoided if Miss Koki had permitted a physical examination.

The court deliberated for less than twenty minutes before returning with the verdict of guilty as charged. Johnson was sentenced to twelve years in prison at hard labor, reduction in rank to private, forfeiture of all pay and allowances, and to be dishonorably discharged. The prison term was subsequently reduced to eight years by the commanding general of Camp Butler, Okinawa, the convening authority, and the record was forwarded to the Judge Advocate General of the Navy in Washington for the customary review. In due course, Johnson was transferred to the United States Disciplinary Command prison at Portsmouth, N. H., and on May 29, 1969, a Naval board of review further reduced the sentence to five years at hard labor. The guilty finding was affirmed.

This decision was noteworthy for the following reasoning of the board: "Weighing most heavily upon our conclusion is the testimony of Miss Koki. She immediately, positively, repeatedly, and consistently identified L/Cpl. Johnson as her assailant. She had seen him before in the mess hall where she worked and recognized him by both sight and voice. There is no hint in the record of any motive on her part to make a false identification or, indeed, to make a false complaint." Again in retrospect, such a "hint" should have appeared in the record, because prior to that time evidence casting doubt on Miss Koki's testimony had been reported to military authorities. However, it never reached the record on appeal, so on Sept. 26, 1969, the U.S. Court of Military Appeals denied Johnson's petition for another review and his sentence was ordered executed. The evidence that should have forced an early reopening of the case had been available to military authorities for almost a year before the court's order denied Johnson further review.

In October of 1969, Johnson's mother sent letters of appeal to the *Daily News* and to the other major New York newspapers and radio and TV stations. The next month I interviewed her and she gave me a thick folder of letters, affidavits and other documents pertinent to the case. "All I ask is that you read these," she said. "You'll see that Ronnie did not get a fair trial. He did not do this thing." The folder contained numerous letters, a few from the White House, some from Senators and Congressmen, nearly all of them with strangely similar replies to her pleas for help, nearly all of them assuring her that her son's case would be "extensively reviewed." For instance, her letter to Sen. Edward M. Kennedy was forwarded to Col. M. G. Truesdale, USMC, director of the Marine Judge Advocate division, who replied to the Senator: "Mrs. Johnson's allegation concerning an accomplice and the victim's testimony are matters pertaining to the sufficiency of the evidence introduced during Private First Class Johnson's trial. It would be inconsistent with the proper administration of justice for this Headquarters to comment on such matters, since it is the function of the reviewing authorities in the judicial process to review the entire case and to determine whether the charge is supported by the law and the evidence, and whether the sentence is appropriate to the offense for which the accused was convicted. The law requires Private First Class Johnson's case to be extensively reviewed before becoming final. . . ." The mother continued writing letters and she continued getting similar replies.

During my interview with her, she explained that Ronald had been getting into trouble in prison. In fact, he was spending a good deal of time in the "hole" at Portsmouth because of his behavior. Somewhat ironically, it was only after he faced another court-martial on charges of assaulting two white Marines with a chair (the charges were dropped on his plea of self-defense) that he was able to convince the man who had been scheduled to prosecute him, 1st. Lieut. Garrell S. Mullaney, USMC, to look into his case. Specifically, Johnson asked Mullaney to get in touch with a Marine named Farr, then stationed at the prison, and he also asked him to talk to Ribisi, the white Marine who had been acquitted as Johnson's accomplice. Ribisi was serving time at Portsmouth for unauthorized absence (AWOL) and escaping from previous confinement. Mullaney spoke with both men and as a result affidavits were taken from Ribisi and Sgt. William B. Farr, USMC, by a young legal officer, Navy Lieut. Lowell J. Noteboom, who drafted a petition for a new trial and forwarded it to Washington: "My God, I think we've got an innocent man up here," Noteboom told Navy Lieut. Allen D. Black, who handled the petition before the Judge Advocate General of the Navy in Washington.

Ribisi's affidavit told of a "lot of racial tension" among blacks and whites in Johnson's platoon on Okinawa. He said Johnson and a white Marine had engaged in a serious fistfight several weeks before April 27. A few days after the fight, the statement continued, two white Marines approached Ribisi in the barracks and "said they had a plan to get even with Johnson." He identified one of


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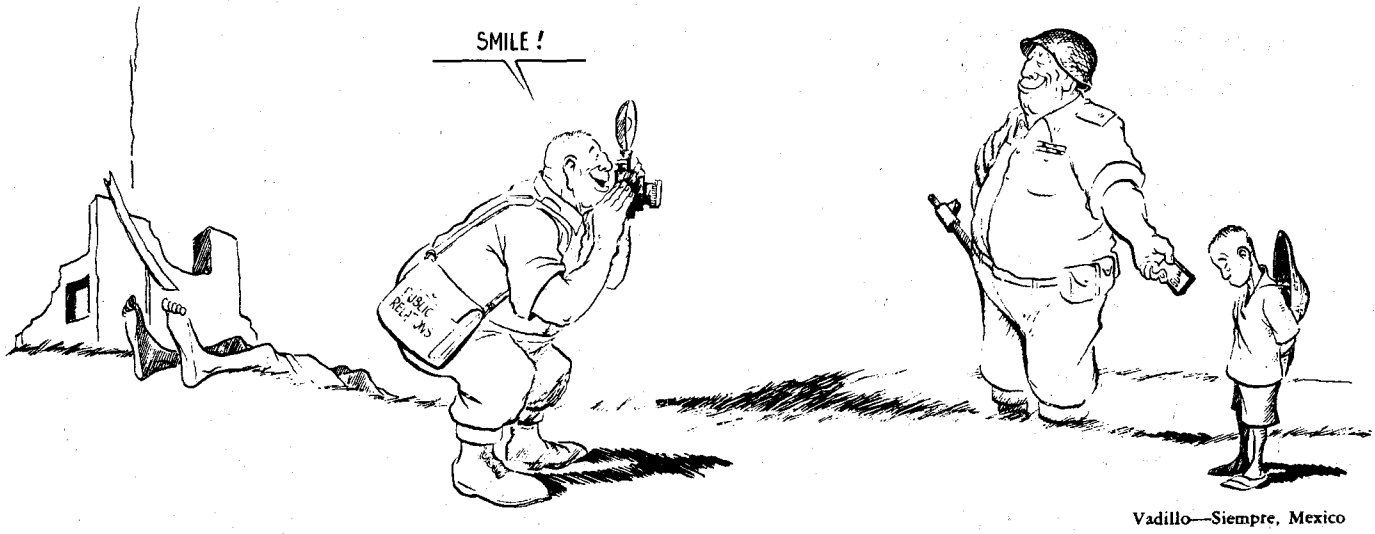
the Marines as Moyer. Then, the affidavit said, three days before April 27, "Moyer approached me again and said he had fixed it up with a local girl who worked at the mess hall and he was paying her to say that Johnson and some white guy she couldn't identify had raped her. Moyer wanted my cooperation since his plan was to stage the incident near my post, and they needed someone to say they saw it all happen. They wanted me to be that someone. Moyer said he wanted the story to include a white man along with Johnson so it didn't look planned. Johnson had been my relief on occasions in the past, and Moyer's plan was to have Johnson relieve me, have me head toward the next post, and later say that I had seen Johnson rape the girl. I told Moyer I would think about it." On the night of the incident, Ribisi stated further, Moyer asked him if he was ready, that the "rape" was set for that night. Ribisi said he told Moyer he "would go along with it," but that after he was relieved by Johnson at about 3:30 A.M. on April 27 "I then headed for the barracks rather than following through with the plan. The next morning when I got up, everyone was saying that Johnson and someone else had raped this native girl. The native who was paid to say Johnson raped her had a reputation as a whore and sold herself outside of Gate 2 at Camp Hague." Ribisi's affidavit concluded: "I realize now that I should have come forward with the true facts concerning the plot to frame Johnson. However, at the time, I was afraid this story might implicate me in the scheme to get Johnson, even though I never aided Moyer in his effort to make Johnson look guilty."

The affidavit from Farr said that shortly after Johnson was returned to the States in November of 1968 "a couple of members of our platoon told me they had seen her [Miss Koki] in town while on liberty and that she had told them that Johnson never touched her, but she offered no explanation of why she had falsely accused him at his court-martial. I went back to the office and told some of my friends what had happened. That same afternoon, L/Cpl. Pete Martin, U.S. Marine Corps, and I again confronted the girl on this question and she again told us Johnson had never touched her. In the days that followed, I heard that she repeatedly told other Marines she had never been touched by Johnson." Farr stated further that he had reported his conversation to his 1st. Sgt. William C. Spurling, "but he apparently never forwarded the information to higher authority." Farr reported for duty at Portsmouth in January 1969. In March, he said, he visited Johnson and told him he would be willing to sign a statement to help clear him. "Shortly thereafter, Johnson's counselor, Chief Bradford, called me in for an interview. I explained the true story to Chief Bradford and told him I would sign a sworn statement. He thanked me and said he would call me if such a statement was needed. That's the last time I heard until October 1969 when 1st. Lieut. Garrell S. Mullaney called me into his office."

Together, the Ribisi and Farr statements seemed to indicate that, at the very least, Johnson deserved a new trial. On the basis of this new evidence, a thorough reading of the trial record and a trip to Washington to discuss the case with military authorities, I wrote a long story which appeared in the *Daily News* on Nov. 12, 1969. Two days later, there was a lucky break that eventually played a large part in setting aside Johnson's first trial. A Northport, L.I., obstetrician-gynecologist, Dr. Robert N. Van Son, had seen the story in the *News*. Something clicked in his mind. He telephoned Mrs. Johnson and told her that he had been stationed at the U.S. Army Hospital at Camp Kue, Okinawa, in April 1968. He told the mother he believed he had some information concerning the girl in the case, but that he wanted to check the hospital records first. Messages were sent to Okinawa, the records were inspected, and last December the physician signed an affidavit which said:

> On 27 April 1968 I was on duty in the emergency room of the U.S. Army Medical Center [at Kue]. At approximately 14:15 I was called to the emergency room to examine an Okinawan civilian who was brought in by a CID agent and an Okinawan policeman. The woman's name was Yoshiko Koki, an employee of the Camp Hague mess hall. I remember the incident because of the seriousness of the matter, that of "alleged rape" claimed by the accompanying CID agent and Okinawan policeman. Every time I inquired of the patient as to what had happened to her, the officers would reply for her stating that she said she was raped. Be-

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cause of the patient's refusal to respond to any inquiry except through the officers, I obtained an Okinawan nurse's aide to interpret for us. Still Miss Koki refused to state that she had been raped either to me or anyone else in that room. She was reluctant to answer any of my questions and then refused to be examined. I spent approximately forty-five minutes with the patient attempting to obtain any information from her. She finally volunteered a history of induced abortion and wondered whether or not she still could have been pregnant. She stated that she was in her menses at the time, and I reassured her that she still could not have been pregnant. Although we used any means we could to get Miss Koki to make a complaint, she would not do so. Based on Miss Koki's demeanor, her refusal of pelvic examination, and her extreme reluctance to render a history of rape, I concluded that the matter would be closed. My discussion with the CID agent at the end of this further confirmed my impression as he too came to the same conclusion. I was left with the definite impression that the matter was a sham on the basis that Miss Koki failed to state any claim of rape, her refusal to be examined, and her reluctance toward questioning.

Dr. Van Son's tour of duty on Okinawa ended in June 1968—two months before the Johnson court-martial. He next heard of the case, he said, when he read about it in the *News*.

The Ribisi, Farr and Van Son affidavits formed the basis of Johnson's petition for a new trial, which was filed in Washington by Lieutenant Black on Dec. 18, 1969. After the filing, Johnson's civilian lawyer, Thomas Cleveland, attempted to have Johnson released from prison on the military equivalent of bail—deferral of sentence. He petitioned the United States District Court in Portland, Me., whose jurisdiction covers the Portsmouth, N.H., Naval prison, for a writ of *habeas corpus*. The move was not successful. After a short hearing in January 1970, Judge Edward T. Gignoux said he was powerless to act because Johnson had not yet exhausted his military appeals. He also noted that "military personnel have no constitutional right to bail."

Meanwhile, the case had been assigned to a special board of three Naval officers and a hearing on the petition for a new trial was scheduled for February 24. Less than a week before the hearing, there was an interesting and revealing sidelight involving Farr's affidavit. In its written argument in opposition to Johnson's petition, the government's counsel referred to a person mentioned in the Farr statement, saying: "The government has been unable to obtain any information regarding Lance Corporal Martin. . . ." (It will be recalled that Farr had said a "Pete Martin" had heard Miss Koki deny that Johnson had raped her.)

By checking records with the help of a friend at Marine Corps headquarters in Washington, I discovered that a L/Cpl. Lloyd Martin, who had been stationed in Okinawa in 1968, was assigned to a Marine Corps unit in Albuquerque, N.M. On Feb. 19, 1970, I called Albuquerque to determine whether this was the man mentioned in the Farr affidavit. I read it to him and asked whether he was Pete Martin.

"Yes, that's me," he replied.

"Do you recall talking to this girl at all?" I asked.

"Well, I didn't do any talking. He [Farr] did the talking."

"Did you hear her?"

"Yes I did."

"What did she say, Pete?" I asked.

"Well, he confronted her, you know, like you said. She was kind of shy at first. But she finally admitted that he [Johnson] didn't touch her. I can't exactly remember what she said. It's been a long time."

Not once, but twice more during the same telephone conversation, which was tape recorded for my files, Martin repeated that he had been present and had heard Miss Koki deny that Johnson had touched her.

Elated at finding yet another witness in support of Johnson's petition for a new trial, I flew the next day to Albuquerque in hopes of taking an affidavit from Martin for presentation at the hearing, then only four days away. However, when I arrived Martin seemed a different person. He was reluctant to talk about the case and said he had been ordered to swear out an affidavit before a Navy officer at a nearby military installation. I questioned him no further, but accompanied him to the office of Navy Lieut. Comdr. Fred Canant and waited outside while he gave Canant his affidavit. When they emerged, I was handed a copy of the statement. It said in part: "One time, I think in the fall of 1968, while standing in the chow line with Corporal Farr I overheard him ask Yoshiko, 'Did Johnson really rape you?' Yoshiko smiled—just smiled and didn't answer."

Another overnight switch. I couldn't understand it and I asked young Martin how it was that he had changed stories so radically in less than twenty-four hours. He said he had been "confused."

Later, I learned from a source in the Judge Advocate General's office what really happened. It seems that after my telephone call Martin reported his conversation to a superior officer who, in turn, reported it to Washington. The next morning—in fact, while I was flying to New Mexico—a legal officer assigned to arguing the government's case spent nearly two hours on the phone with Martin. By the time I arrived, Martin's mind had been changed.

At the hearing in Washington four days later, Lieutenant Black took an affidavit from me, promising that he would offer it in evidence only if the government used Martin's statement. However, although I had a copy of the Martin affidavit, the government's counsel had not yet received the original from Albuquerque. Aware of the contents and the damage it might do to Johnson's petition, the government asked for permission to introduce it at a later date. Black strenuously objected, saying that if this was permitted he would be forced to reveal an "ugly" incident (the long-distance telephone call and its implication of witness tampering), and, further, he would place a counter-affidavit before the board (mine). Wisely, the board denied the government's request.

The three-man board which heard arguments in support of and in opposition to Johnson's petition for a new trial included one of the two Negro lawyers in the entire U.S. Navy. The other one was assigned as government counsel to argue against the petition. Lieu-



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tenant Black argued on Johnson's behalf. "There is evidence in this case," he told the board, "that a handful of crass young men have attempted to twist our system of justice to their own ends. Now the system is under a cloud. The only way to clear the air is that Ronald Johnson be given a chance to prove his innocence. You gentlemen are the men who can give him that chance."

The board apparently agreed. On April 1, 1970, Rear Adm. D. D. Chapman, the Acting Judge Advocate General of the Navy, issued a one-paragraph order in the case of the *United States* v. *Ronald V. Johnson*. It said: "In the above entitled case, a petition for a new trial has been considered and found to be meritorious on the ground of newly discovered evidence. Accordingly, a new trial is hereby granted."

But there was bad news for Johnson too. His hope of getting out of prison seemed doomed by the Judge Advocate General's directive which designated the commanding general of Camp Butler, Okinawa, as the authority to convene the new court-martial. The directive stated that the new trial order "does not affect the findings and sentence previously adjudged, and the status of the accused remains of a sentenced general court-martial prisoner."

"What? That's ridiculous," Black exclaimed. The distinction was important, he said. As a convicted prisoner, Johnson would not be entitled to the rights of an accused, among them the right to a speedy trial, to the presumption of innocence, to be released pending the new trial, to rank, to back pay, and so on. So, on April 3, Black filed a petition for a writ of *habeas corpus* before the Court of Military Appeals in Washington, requesting that Johnson be granted the status of an accused, rather than that of a convict. The government replied to Black's petition by contending that the Judge Advocate General has no authority to set aside Johnson's conviction and sentence, and that to do so would contravene the intent of Congress and dismiss as unconstitutional certain portions of the Uniform Code of Military Justice.

Much of the confusion as to Johnson's status resulted from the fact that this was the first time a convicted court-martial prisoner has ever been granted a new trial. The problem was resolved on May 8 when the Court of Military Appeals, with a judicial slap at the Navy Judge Advocate General's legalistic juggling, ruled that Johnson's status was that of an accused. The court reasoned that a tainted conviction had been overturned and that, once again, the burden of proving guilt was on the government. The court said: "An order granting a new trial reopens the whole case . . . and places the accused in the same position as if no trial had been held."

One week later, the young black Marine was released from prison, restored to his old rank of Lance Corporal, given a portion of his back pay, granted a ten-day leave and ordered to report to Okinawa to be tried again for rape—"an accusation easy to be made, hard to be proved, but harder to be defended by the party accused, though innocent." □

COAL MINES

# DEATH BY RUNAROUND

**STEPHEN CUPPS**
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When last year Congress finally passed the Coal Mine Health and Safety Act—following the death of seventy-eight men in a mine explosion near Farmington, W. Va.—the law was hailed as the miners' Magna Carta. Even a few pessimistic observers agreed that this death-dealing and disabling occupation might perhaps be capable of reform. The struggle to bring some semblance of health and safety to operations in the nation's coal fields has been long, bitter and, from the standpoint of the rank-and-file miner, disappointing. Federal mine-safety legislation has been plagued during its whole dismal history by a combination of factors that have aborted every effort at real reform: an industry almost impervious to technological innovation, especially where health and safety are concerned; the impressive political power of industry leaders and their lobbyists on Capitol Hill, in committee cloakrooms, and among important executive agencies; miners' unions, such as the powerful United Mine Workers, dominated by officials seemingly committed to perpetuating rather than improving mine conditions; weak-willed and understaffed federal regulatory agencies either unable or unwilling to force the coal industry to observe health and safety standards; and, finally, the long-suffering miners themselves, resigned, as were their fathers, to a lifetime of abuse, frustration, broken promises, crippling injury, and all too often death.

Thus, when several thousand coal miners walked away from their jobs this summer in protest against nonenforcement of the new law and against conditions in the mines that were in many cases actually worse than existed before the law was passed, the situation seemed only too familiar. Once again a persistent and powerful private group appears to have successfully undermined a potentially stringent piece of mine-reform legislation.

Even as the safety bill was being pushed through Congress, there had been indications that the industry was doing everything it could to soften the impact and cost of mine reform. While the bill was before the House Education and Labor Committee last September, John L. Kilcullen, lobbyist for the 3,000-member National Independent Coal Operators Association, managed to get a majority of the committee to support a provision exempt-



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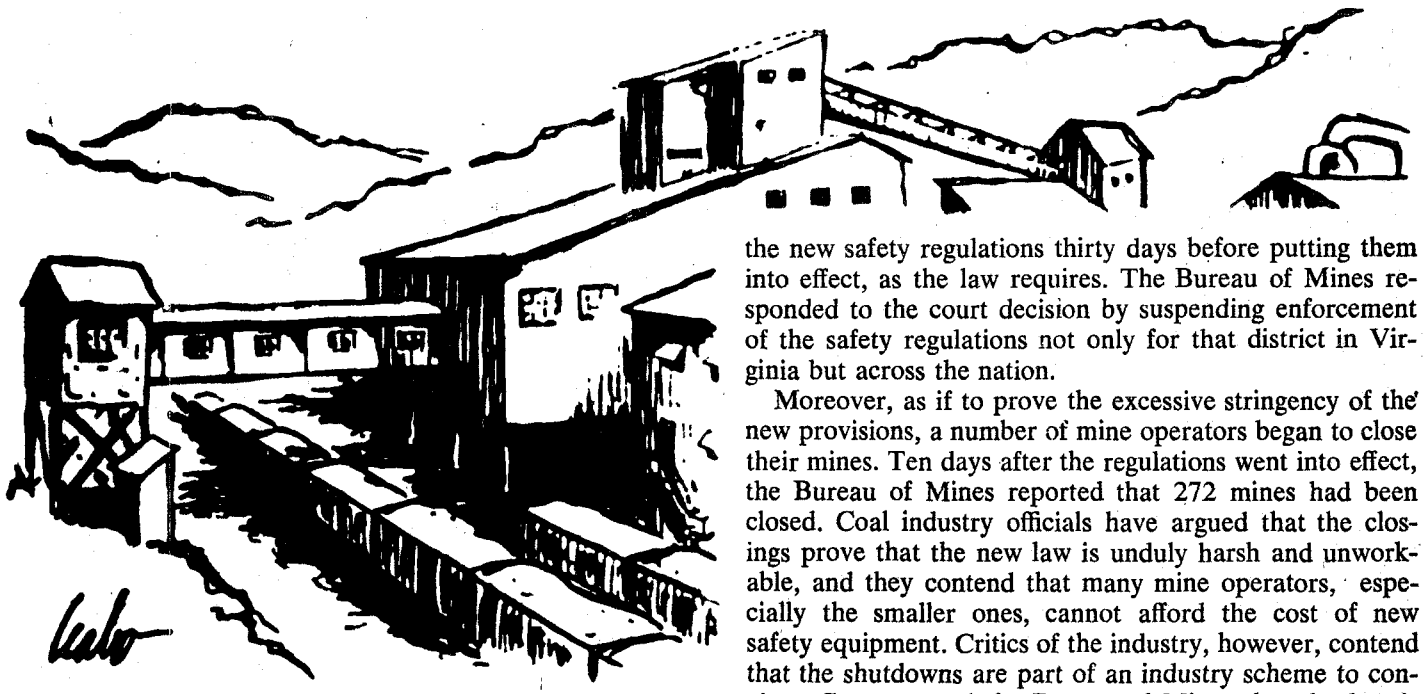

ing his small-mine clients from the bill's exacting requirements as to explosion-proof electrical machinery. At one point, committee chairman Carl Perkins (D., Ky.) was unable to muster a quorum of his thirty-five members because Kilcullen was in the room next door, hammering out his amendment with committee members.

The coal industry also persuaded the committee to retain the Federal Coal Mine Safety Board of Review, a court of appeals for coal-mine operators aggrieved by safety enforcement rulings of the Bureau of Mines. The miners have always believed the review board to be industry oriented, since by law two of its five members must "reasonably be said to represent the viewpoint of the operators" and a third, the chairman, has traditionally been chosen from industry ranks. The last chairman, for example, was Dennis L. McElroy, an executive of the Consolidation Coal Company, the nation's largest coal producer. The review board had the power to nullify orders by federal inspectors for the closing of unsafe mines and could rescind penalties assessed for violations of safety requirements. According to the miners, the ready-made industry majority assured that the review board would completely offset the impact of any new safety regulations. Industry efforts to preserve the review board failed, however, when the committee bill was challenged on the House floor. Significantly officials of the miners' own union strongly favored retaining the board. The UMW President W. A. (Tony) Boyle switched from enthusiastic support to opposition at the last moment, when his opponent in the bitter UMW election race, Joseph A. Yablonski, denounced the board as an "industry loophole."

Since passage of the mine-safety bill, the coal industry has redirected and redoubled its efforts. Calling the new law punitive and unworkable, mine operators in Virginia filed a lawsuit early in April to enjoin enforcement of its provisions. A federal district judge upheld their contention, noting that the Interior Department had not published the new safety regulations thirty days before putting them into effect, as the law requires. The Bureau of Mines responded to the court decision by suspending enforcement of the safety regulations not only for that district in Virginia but across the nation.

Moreover, as if to prove the excessive stringency of the new provisions, a number of mine operators began to close their mines. Ten days after the regulations went into effect, the Bureau of Mines reported that 272 mines had been closed. Coal industry officials have argued that the closings prove that the new law is unduly harsh and unworkable, and they contend that many mine operators, especially the smaller ones, cannot afford the cost of new safety equipment. Critics of the industry, however, contend that the shutdowns are part of an industry scheme to convince Congress and the Bureau of Mines that the law is unworkable. They cite a Bureau of Mines report which shows that only ten of the 272 mine closings were ordered by federal inspectors; the rest were closed voluntarily.

It is almost certain that additional lawsuits, mine closings, and inspection and enforcement delays will be triggered by the new law's health provisions, which went into effect on July 1. These regulations, intended to combat pneumoconiosis or "black lung" disease, stipulate that mines should contain no more than 3 milligrams of coal dust per cubic meter, and that within three years the maximum allowable level should be reduced to 2 milligrams. Both industry officials and mine-safety proponents agree that strict enforcement of the law's coal-dust standards may result in widespread shutdowns before the standards can be met.

While the miners expected opposition from the coal industry, they now feel that the Bureau of Mines—the agency responsible for inspection and enforcement of mine-safety regulation—has done as much to undermine the effectiveness of the new law. Personnel problems and bureaucratic delays, in addition to industry hostility, have combined to render the bureau almost completely useless as an enforcement agency. The complex, technically detailed safety regulations the bureau developed to implement the new law were not made public until March 28, just two days before they were to become legally binding. As a result, the industry was able to get its injunction. Mine-safety proponents are less worried about bureaucratic bungling, however, than they are by what they consider to be a basic lack of commitment to vigorous enforcement on the part of the bureau. Both the miners and their spokesmen admit that the bureau has been given neither the money nor the manpower necessary to do an adequate job, but they blame the bureau for its failure to prepare beforehand for the difficulties that were bound to arise, and for caving in too quickly at the first sign of industry opposition.

The bureau has estimated that it will need about 1,100



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safety inspectors to enforce the new law. At the moment it has about 220 in the field and another eighty in training. While a recent crash program turned up an additional 300 candidates, it will be next year at least before they can be properly trained, and even then the bureau will have only about half the inspectors it feels are needed. Sen. Harrison Williams (D., N.J.), chairman of the Senate Labor Committee, points out that, although the bureau's annual budget was increased by $12 million last year so that the 800 new mine inspectors could be added, thus far only a handful have been hired. On a fact-finding trip through western Pennsylvania's mine country, Senator Williams said of the bureau's inspection and enforcement performance: "They're not even approaching what the law requires."

The miners also believe that the Nixon Administration is involved in the attempt to sabotage stringent mine-safety enforcement. Just one month before the new law was to go into effect, the President fired the chief federal enforcement official, Bureau of Mines Director John O'Leary. A Democrat, appointed by President Johnson in 1968, O'Leary was expected to be a vigorous enforcer of the law and was therefore thoroughly unacceptable to the industry. "He was the one man at the bureau who knew the law and had the backbone to stand by it," claims Rep. Ken Hechler, (D., W.Va.), a chief industry critic and one of the men most responsible for pushing mine-safety legislation through Congress. The President delayed for more than two months before appointing a successor to O'Leary, leaving the bureau leaderless at the very time the law was being put into effect, and at a time when the most important decisions regarding inspection and enforcement should have been made. Moreover, the man he did finally choose, J. Richard Lucas, head of the mining engineering department at Virginia Polytechnic Institute, has been accused by miners and mine-safety proponents in Congress of being so closely tied to the coal industry as to be a major threat to vigorous enforcement of the law. Rep. John Saylor (R., Pa.), the ranking Republican on the House Interior and Insular Affairs Committee, has charged in a letter to the President that Mr. Lucas is "totally unqualified" for the sensitive and exacting regulatory post. According to Representative Saylor, Mr. Lucas has devoted so much of his career to "moonlighting" as a consultant to the coal industry that he lacks "the objectivity, the training or the desire to represent the public interest." Saylor insists that the bureau, and in the end the rank-and-file miner, would be better off with no director at all. When the debate over his confirmation came to a head in Congress, and faced with an increasingly hostile press, Lucas asked the President to withdraw his nomination. While the miners were heartened by this development, it nevertheless meant that the bureau would continue without a director.

In addition to the furor caused by the Lucas appointment, President Nixon has indicated that the Interior Department may reduce its mining and mineral research expenditures by $40 million this year, thereby closing about twenty federal research facilities in seventeen cities. Mine-safety proponents find such a move incomprehensible; coal-mine operators have argued that one of the major reasons the industry cannot comply with the new safety law is that safety technology has not yet progressed to the point where the industry can meet the law's rigorous standards on such things as dust control, spark-inhibiting drilling equipment, and safety devices for underground haulage cars. Yet Interior Department officials have acknowledged that the budget cut would severely reduce research aimed at developing the equipment needed to protect the health and safety of mine workers.

The Interior Department has also announced that it is inviting officials of the Bituminous Coal Operators Association and the National Independent Coal Operators Association to a closed hearing to discuss their proposals for changes in the law's safety regulations. Forty-seven coal companies and six associations of mine operators had filed petitions with the department asking it to moderate some of its enforcement activity. For the coal miners, this marked a decisive step in what they are convinced will be the complete subversion of the health and safety provisions of the new law. Still faced with unsafe working conditions and angered by their union's unwillingness to fight for their cause, thousands of coal miners walked out in Pennsylvania, Ohio and West Virginia, citing a provision in the new law which permits miners to quit work when conditions are unsafe. Although four steel companies and the miners' own union convinced a federal judge to order the men to "go back to work or go to jail," the miners are not ready to give up so easily this time. In a full week of meetings at various mines throughout western Pennsylvania and West Virginia, the miners presented their case to Senator Williams and received assurances that his Senate Labor Committee would soon be calling the Interior Department and the Bureau of Mines to Capitol Hill for an accounting. Additional wildcat strikes have also been promised if safety inspection and enforcement are not stepped up.

Meanwhile, Representative Hechler and several of his Congressional colleagues have filed suit to force the Bureau of Mines to comply with the law's inspection requirements, and a group of West Virginia University graduate students have released to the press a 689-page indictment of mine health and safety conditions in their state, accusing the coal industry, the Bureau of Mines, the Nixon Administration and the United Mine Workers of thwarting the intention of Congress by sabotaging the law's safety provisions.

Amid all the controversy, one unassailable fact stands out. Fifty-two miners have died in the mines since April 1, the day the new mine-safety law was to go into effect; that is seven more miners than were killed during the same three-month period last year. More than a hundred miners have lost their lives since the first of January, and in West Virginia alone the chances are still one in six that a non-supervising miner working underground will be injured each year, and one in twenty-four that he will be killed. These figures of course do not include the countless miners whose lives are cut short by deadly respiratory diseases.

Thus when a former Pittsburgh, Pa., engineer was honored last week in Washington with an award for directing mine health and safety inspections, the irony of the situation—given the shortage of inspectors—was not lost on the miners. The inspector received his citation posthumously. □



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# BOOKS & THE ARTS

## The Lady and the Colonels

HOUSE ARREST. *By Helen Vlachos. Gambit. 185 pp. $6.95.*

**STEPHEN ROUSSEAS**
*Mr. Rousseas teaches economics at Vassar College. He is the author of* The Death of a Democracy: Greece and the American Conscience (*Grove*).

Before the Greek colonels' coup, Eleni Vlachou (to use the proper Greek form of her name) was publisher and editor of *Kathimerini*, the foremost and most prestigious newspaper in Greece. She was also publisher of an afternoon daily called *Messimvrini*. Running parallel to Eleni Vlachou was Christos Lambrakis, publisher of *To Vima*, *Ta Nea* and the periodical *Epohès*. *Kathimerini* and *Messimvrini* supported the right-wing party of ERE (The National Radical Union) led by Panayiotis Kanellopoulos, while *To Vima* and *Ta Nea* supported the Center Union Party of George Papandreou. Eleni Vlachou and Christos Lambrakis, however, were more than just publishers of *the* major daily newspapers in Athens. Using the press as a power base, they took an active part in Greek politics and, at one point, even collaborated in a misguided attempt to resolve the constitutional crisis of 1965 in favor of the King. (See my account, "Greece: Elections or Coup?" *The Nation*, March 27, 1967.)

On April 21, 1967, both Eleni Vlachou and Christos Lambrakis were faced with a *coup d'état* which, in its particulars, neither of them had expected. *House Arrest* is Eleni Vlachou's story of how she, the publisher of the major right-wing newspapers, resisted the colonels' take-over by closing her papers down. Lambrakis, however, buckled under and accepted the press censorship of the junta. Vlachou quickly became a symbol throughout the Western world of the integrity of a free press which chooses not to publish at all rather than submit to the political censorship of a totalitarian regime. She was repeatedly pressured to resume publication of *Kathimerini* and then placed under house arrest when she adamantly refused to do so.

For eight months, together with her husband, Costas Loundras, Eleni Vlachou played a waiting game based on her belief that the colonels would not last much longer. It was only after the King's disastrous attempt at a countercoup in December of 1967 that she finally made up her mind to escape. It was an easy matter to slip past the military guards of her apartment and, with the help of friends, to hole up temporarily in a dreary two-room basement flat in Athens. She then telephoned, using the names of friends, the French, English and American ambassadors. None offered to help in any way. All were somewhat embarrassed and the U.S. Ambassador, Phillips Talbot, fatuously suggested that she try a "smaller" embassy. Disgusted, she dyed her hair and with the help of a fake passport, containing a picture which did not even resemble her, she passed through the Athens airport control and boarded a commercial flight out of Greece.

Settling in London, Eleni Vlachou continued her fight against the junta by publishing at her own expense the *Hellenic Review*, a monthly containing much valuable documentary material. The *Hellenic Review* began in June 1967 and suspended publication after October 1968. Vlachou never gave an explanation for the suspension though rumor had it that threats were made by the junta against her husband who was, in effect, a hostage in Athens. Four months later, however, a new monthly, *The Greek Report*, made its appearance. It too was published in London under the editorship of P. Lambrias, her former editor of *Messimvrini*, and under the auspices of the former conservative Mayor of Athens, George Plytas, and Constantine Mitsotakis, a ministerial defector of the Center Union Party in the 1965 constitutional crisis, and a member of the King's puppet government until its collapse in 1966.

These publications represent the rejection of the junta by the political Right of Greece, with Eleni Vlachou playing the same role in exile that she did in Greece before the coup. She has furthermore taken an active role by traveling throughout Europe in opposition to the colonels, and she attended the hearings in Strasbourg of the European Commission on the Rights of Man which ultimately led to Greece's forced "resignation" from the Council of Europe. Eleni Vlachou is obviously a formidable woman of great determination and courage.

However, her opposition to the junta is not all that deeply rooted in democratic convictions or in any belief in the inviolability of a free press. The key to Eleni Vlachou is her aristocratic upbringing and her rather acute sensitivity to the class origins of people. In her book she relates how she and her husband idled away her house arrest by opening up half-forgotten cartons of old photographs. She then devotes 104 of her 177 pages of text (or about 60 per cent of the book) to name-dropping reminiscences, gossip and broad sideswipes at famous people she has known and does not like. She comes through as a strong-willed, powerful woman whom one crosses only at one's dire peril. Most of her reminiscences, however, are about trivial people—who married whom and when and who divorced whom and why.

It is also rather gratuitous to read her Hedda Hopper-styled inside story of the competition between Niarchos and Onassis—two rather dreary vulgarian exhibitionists who have nothing more to recommend them than their money. In reading her descriptions of all of these beautiful people, one comes across, time and again, such expressions as "a charming young man from a good Greek family"; or, "a young woman of excellent Greek family"; or, "Aliki was the second of four girls of a good but impoverished Athenian family"; or, "Melpo was as near an aristocrat as you can find in Greece"; or, "Deppy, an Epirote by birth, was now a Greek-American of quality." And it is out of this snobbism that one senses her distress over the *basse classe* origins of the colonels. Her descriptions of Pattakos, Papadopoulos and the terrifying hatchet man, Colonel Ladas, are in terms of their blunt unaristocratic features, their rotund figures, their short stumpy legs, the gruntlike vulgarity of their speech, their unmannered coarseness, and their proletarian origins. They are, in a word, *nobodies*.

After an encounter with Ladas she said to her husband: "When I heard Ladas speak, really speak, I wanted to pat his flat head and give him a lump of sugar." To her, Ladas and the other colonels are animals. Her descriptions of them are no doubt accurate. But they hardly provide a basis for rejection. Surely the grounds lie elsewhere. One can't help feeling that Eleni Vlachou's



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objection to the coup is based upon its execution by a group of military-proletarian *arrivistes* who had no proper class claims to political power; that she might have felt more comfortable under a coup of the more traditional classes, who of course would have been more gentlemanly.

Early in her book, Eleni Vlachou flatly rejects the colonels' claim that the threat of an imminent Communist take-over made their coup necessary.

> If the coup had come as such a complete surprise to the whole of the Greek establishment, if the Government, the Palace, the police, the news agencies, the Greek press had been dozing peacefully during these past hours, it was precisely because no serious threat of any disturbance, no fear of any imminent danger, was present on the Greek horizon. We had seen storms piling up in the past, we knew the signs, and we would have taken very seriously any threat of a Communist uprising. But if that threat had existed, it would have been visible.

Journalists, however, like other people, have mercifully short memories. Junta propagandists are more adequately endowed. On the second anniversary of the coup, the official house newspaper of the junta, *Eleftheros Kosmos* (*The Free World*), unearthed Eleni Vlachou's "Epikaira" ("Of Now") column in the February 23, 1967 issue of *Kathimerini*. It used this column to justify the military take-over of April 21, 1967. The relevant part runs as follows (italics supplied):

> What is significant, though, is that (and let us hope this does not happen) if the Center Union emerges as the leading party, or forms a majority together with EDA [the communist-front United Democratic Left], then on the very night of the elections the two "people's parties" will activate the revolutionary machinery of EDA, creating mass popular demonstrations under their protection, will abolish the regime and become masters of the government, or rather of power; *it will then be necessary to expel them via the force of the army* (which army will probably be unable to move amid the confusion) and to fire on the mass meeting of "Lambrakis Youth" [the youth movement of EDA] before which the Papandreou-Passalidis [the heads of the Center Union and EDA parties] "people's government" will take its oath. All this, of course, seems to be a secret only to the stupid and naive. *Those who do not wish to bury their heads in the sand like ostriches have long been aware of the danger.*

The junta did not miss the opportunity to use Eleni Vlachou's own words to justify its take-over *before*, not after, the elections when Eleni Vlachou herself thought it would be too late. The price of irresponsible redbaiting comes high in Greece, as it does in other countries as well.

Whatever the mistakes of the Right, the Center and the Left in Greece, the important fact is that all are now united in their opposition to the colonels. The junta is without any political base whatever. And Eleni Vlachou is quite right in pointing out that it is United States support which has kept them in power. "If the Americans had not engineered the coup of April 21," she writes, "they had frankly and openly supported it ever since." During World War II, she continues, "we were told by our Western allies that we were brave little Greeks, and that our duty was to die 'for freedom and democracy.' Now the same allied powers, the same former friends, have changed their tune. What we must be now is patient little Greeks, and not insist too much on the luxury of 'freedom and democracy' for ourselves because it does not suit strategic interests."

One point remains to be made. On the issue of the freedom of the press, Eleni Vlachou has severely compromised her position. In a critical meeting with the Minister of Public Order, she relates the following (italics supplied):

> What Mr. Totomis wanted to know, or what he had been asked by the government to inquire, was under what conditions I would agree to publish the newspapers again. What did I really want? Could I tell him?
>
> Certainly, it was quite simple. What I wanted was . . . a new and acceptable Press Law, *which would tell the publishers what they were* not *allowed to print.*
>
> He looked at me surprised. Was that enough? It was, I explained, because *what was unacceptable was not the fact of not being allowed to print all the truth, but of being obliged to publish all the propaganda rubbish and lies issued by the Ministry of the Press.*

Totomis' surprise is not surprising. What is surprising is that the colonels did not accept her offer on the spot. But what is most surprising of all is Eleni Vlachou's *willingness* to accept censorship over what she would be allowed to print. She seems to be oblivious of the fact that though a *little* poison can have great therapeutic value, a little censorship is as deadly as a lot—and perhaps even more dangerous in that it subtly misleads the people.

I wonder if Eleni Vlachou would have been as much of a crusading publisher and uncompromising defender of the freedom of the press if the King's generals and his political supporters on the Right had moved in a softer coup to suspend elections, with ERE's Kanellopoulos heading a crisis or "national unity" government. Eleni Vlachou's problem seems to be not that a coup took place but that the wrong one got the upper hand. The political Right in Greece cannot wash itself clean with Johnny-come-lately protestations in favor of the democratic process and freedom of the press. It was they, with the connivance of the King and the United States, who postponed elections for two solid years. And in the long run it is they who will be judged more harshly than the proletarian colonels who, without proper credentials, seized power for themselves. □

# The Culture Trough

**CURT JOHNSON**

*Mr. Johnson publishes the noncommercial, independent magazine* December, *which received a $1,500 grant from the CCLM several years ago and, recently, a $1,000 matching grant. He is the editor of two anthologies of fiction from little magazines:* Best Little Magazine Fiction: 1970 *(NYU Press) and, with Jarvis Thurston,* Short Stories from the Literary Magazines *(Scott, Foresman).*

The January 9-22, 1970 issue of the underground newspaper *Nola Express* contains an interview with the poet Charles Plymell who comments on the money spent on literature in the last several years by the U.S. culture agency, the National Endowment for the Arts: "There was enough for every practicing poet to have some of it. Those who needed it. Those who were devoted and didn't have the shelter of the academy or high-paying jobs." It is Plymell's opinion that the agency's first director of literary programs, Carolyn Kizer, performed less than adequately as a literary czar: "She added to the mass of crap and helped set poetry and poets back a decade or two." His principal objection is that the money went for buildings and conferences and sightseeing trips and talent scouts, and for literary establishment projects of dubious value (given their cost), and in $10,000 chunks to writers who had already spent half their lives riding gravy trains, rather than to "people who have to scrape to buy postage, man. A couple


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grand would have been a miracle to them. But now it's down the drain. . . ."

Plymell is partly mistaken, however: it is not all down the drain, only the first few millions are. This past January, for instance, the National Endowment gave its largest grant yet ($150,000) to the Coordinating Council of Literary Magazines, in recognition of CCLM's "continuing service to the American literary community." For U.S. writers who do not hold gravy-train tickets, this grant and the activities of CCLM may be of particular interest, since CCLM's stated purpose is "to aid non-commercial literary magazines and, through them, the independent writers of America"—in other words, those very writers who have to scrape for postage.

The Coordinating Council was created by Miss Kizer, with a little help from her friends, and since its incorporation (private, nonprofit) it has gotten slightly more than $350,000 from the Endowment, plus slightly more than $250,000 in matching funds from private sources —how much more and from whom has been only partially revealed. But at least $600,000, then, to give away, a not inconsiderable sum, and all of it, directly or indirectly, tax money (private-source gifts to CCLM are tax-deductible).

CCLM membership consists of the "35 most prominent American literary and 'little' magazines"—their editors being among those friends who helped Miss Kizer found the organization—though "any American literary magazine is eligible to appeal to the CCLM for a grant," not just its members. CCLM members have no vote; its directors "allocate [funds] as they see fit." The noncommercial magazines to which CCLM allocates funds in varying amounts are this country's "little" magazines, publications that print poetry, fiction, reviews and opinion. They are read chiefly by those who write for them; they invariably lose money; and are said to publish first the authors of the future. (This consensus of the intelligentsia is perhaps a self-fulfilling prophecy.)

CCLM has a salaried staff of three people, possibly more; there is no way of knowing for certain, since it refuses to make its records public. Administrative expenses run upward of 20 per cent of its budget, though by my calculations, they run closer to 30 per cent.

It is necessary to explain that I am able to conjecture, and later to cite such figures as I will, only because of a letter written by the San Francisco little magazine editor, John Bennett, Jr.

What happened was this. Each issue of Bennett's *Vagabond*—like issues of most independent (that is, nonuniversity-sponsored) littles—has been an excruciating exercise in ingenuity and sleight of mouth, the likes of which can only be properly testified to by hoodwinked printers here and in Europe. Moreover, Bennett's thresholds of frustration and outrage are lower even than those of most little magazine editors. Thus when one day last year he received a press release announcing a National Endowment grant of $28,500 to the Association of American University Presses (most university presses being already wholly subsidized), he opened a can of Coors beer and sat down to his typewriter and rattled off a 4-page *j'accuse* to Carolyn Kizer, closing with, "The Endowment is fine. And candy is dandy. Fine for dilettante and socially ambitious, politically oriented persons. Anathema for the arts and the few American artists and poets who have managed to persevere [in] America today. So why add insult to injury? Junk the Endowment and go back to working for a living. At least take me off your mailing lists."

Bennett sent a copy of this letter to me because in it he had mentioned an article I had written that criticized the Endowment-financed *American Literary Anthology* project as a boondoggle. (It had cost $17,000 just to prepare the first volume's manuscript for the typesetter, a feat equivalent to spending $500 to get a shave.) For a year prior to Bennett's letter I had been sending quarterly queries to Miss Kizer at the Endowment, and to the director of CCLM, asking them both for CCLM expenditure information, and failing to get it. Now the Lord alone knows what sensitive nerve Bennett's letter struck, but when Miss Kizer received it she sat down to *her* typewriter and rattled off a 2-page rebuttal. The reason I know she did this is that she sent her rebuttal not only to Bennett but to me (and to half a dozen other little magazine editors who had, apparently, also been pestering her for information), with the caution that if any of us should ever be tempted to publish any part of Bennett's splenetic, we had best have more facts . . . and here they were, including seven Xerox sheets that detailed CCLM grants to individual magazines.

Let us, then, turn to an examination of a representative sampling of CCLM grants made to noncommercial literary magazines between 3/1/67 and 10/1/69. In that period, John Bennett's *Vagabond* received $500; *Dust*, $500; *Open Skull*, $500; *Wormwood Review*,


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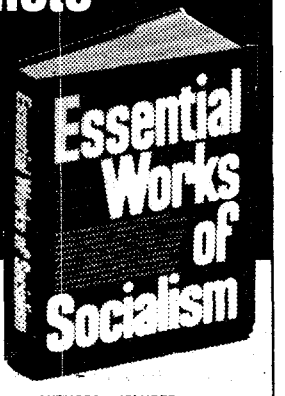


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$415; *Poetry Bag*, $700; *Consumption*, $500. These are independent, non-sponsored magazines, none of them CCLM members but all of them fine periodicals, and publishers of equally talented if (usually) lesser known writers than, say, *Carleton Miscellany*, which in the same period received $6,000 via CCLM, *Hudson Review* ($6,000), *Antioch Review* ($6,000), or *Southern Review* ($9,000). Also in the same period, *Shenandoah* received $4,500 via CCLM; *TriQuarterly*, $6,000; *Caterpillar*, $7,900; and *Partisan Review*, $9,000. (Both *Caterpillar* and *TriQuarterly* have received additional grants since 10/1/69, as have perhaps some others listed.

From another account sheet, more or less official, which CCLM supplied *The Nation* when they learned of this article, the total through 1969 for *Caterpillar* would seem to be $15,900. (It is impossible to understand the disparity between the listings since neither is very clear in its breakdown and there is no accompanying explanation.) Bearing in mind Aristotle's dictum that no man can—or should—judge his own case, it remains to note that the editors of the last four magazines given above are members of CCLM's grants board.

The totals include money listed on Miss Kizer's Xerox accounting sheets as "matching funds." They do not include money received and passed on by CCLM (such as a recent $6,900 grant to *Partisan Review*, this being in addition to *Partisan*'s already outstanding $9,000) so that the giver can use his gift as a tax deduction. It is part of CCLM's policy, I am certain (though would be glad of correction in the form of a full disclosure by CCLM of its practices), to direct most-favored magazines to these already existing large-chunk funds; that is, the funds CCLM itself raises to qualify for Endowment support.

Therefore when U.S. Steel gives $30,000 to CCLM, as it has, the balance of that sum (after deducting 20 or 30 per cent to administer its reception) serves as evidence to Congress that the National Endowment and CCLM have complied with the provisions of the act through which *they* receive and dispense tax money. This balance is then allocated to magazines as matching money for their grants from CCLM's tax funds.

But would that magazines besides a "35 most prominent" were included in the benefits. There seems small need to give life preservers to fellow elitists standing safely beside you on a firm deck while below, in the water, hundreds of poor out-group swimmers are drowning. Such direct-to-CCLM grants from private sources get passed on, say, to a magazine such as *Partisan*, together with "official" grants from CCLM Endowment funds. *Partisan*, which is not only sponsored by Rutgers University but is also a for-profit, private corporation (represented by a law firm whose members include Arthur J. Goldberg, Ramsey Clark and Theodore Sorenson), and which has not suffered at CCLM's hands, comes first to mind because its editor happens to be chairman of the board of directors at CCLM, and its managing editor is the salaried manager of CCLM's office.

The grant policy of CCLM, then, has been one of different strokes for different folks, or just about as Plymell saw the entirety of the Endowment's efforts: very, very little to the writers (via the littlest magazines which publish them) who are scraping for postage, and very, very much for those who have the shelter of the academy, or of high-paying jobs—or who are hangers-on with or sweepers for the power elite.

The surprising thing is that we—general public and little magazine editors alike (taxpayers all)—permit a private organization to dispense our money in such cavalier fashion. There are roughly 250 little magazines in the United States, and the existing CCLM personnel can hardly be said to represent either these magazines, or their best interests. CCLM's officers are its officers chiefly because they happen to be there (in or near Washington, D.C.), or are friends (*vide* C. Wright Mills's *Power Structure*). There is nothing in the act establishing the Endowment which stipulates that money for literature is to be treated as the private preserv
cultural guardians.

Miss Kizer has le
now—though she still consults for it. It seems time for other changes. Indeed it seems well past time to measure out some of John Bennett's rage and to demand—since requests are placed in the round file—that both the Endowment and CCLM make public not only an accounting of their grants but also a record of the decision making that determined them, and that both the Endowment and CCLM begin to develop an intelligible, consistent—and reasonably fair—grant-making policy.

Here is a start toward such a policy for CCLM, one that would be of some help to poverty-stricken writers and presses: let CCLM retain the present requirement that any magazine applying for aid must have published for at least one year and at least three issues. Then, at every quarterly grant-making session, list the current applicants in alphabetical order. It is known that CCLM has at that meeting just so much money it can grant. Start at the top of the alphabetical list and grant the first magazine there that sum which it spent for production of its most recent issue—including in this sum payment to authors, but not overhead or editorial salaries. Proceed down the list until the money is gone. At the next meeting, begin at the leaving-off point.

Such simplicity could be administered by one person sitting at a desk and in one morning. This would enable CCLM to dispense with much of its staff, and to eliminate cross-country treks to quarterly meetings by board members and other such jet-set activities, and would thus free at least $25,000 a year for aid to magazines—which is, after all, CCLM's purpose for being.

The plan, however, has a drawback: an independent magazine that had of necessity been proceeding frugally (producing its issues on a mimeo machine, minimum run) would remain disadvantaged with respect to a well-subsidized publication that had been printing in high-style, high-cost fashion. There seems little help for this, if the plan is to be kept simple. But some small redress could be made with a provision that magazines which have already received CCLM grants would be ineligible for additional grants until all other applicants were on a dollar-for-dollar par with them. This would mean that some of our most prominent literary magazines would have a rather long wait until their next sup at the trough. On the other hand, it seems to me that their services to the literary community have earned them this respite.

## GENEVA: A SINGLE GULL

*It was a cool October night.*
*The waters on the lake lay quiet.*
*The sea gulls rested on the rails.*
*I sat on a bench, content.*

*A stranger passed.*
*Said "good evening."*
*Startled, I did not answer.*
*He did not turn his head.*

*His eyes looked down on the ground.*
*He was wearing a brown coat*
*sheepskin.*
*(He needed to keep warm.)*

*I turned my eyes away.*
*(Man is full of grief.)*
*A single white swan came near*
*the edge of the water.*
*He dipped his beak.*

*A sea gull flew off the railing.*

Harriet Zinnes


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# S.O.S. — SAVE OUR SENATE

It is now clear that one event which can significantly affect U.S. war policy in Southeast Asia in the next two years is the 1970 Congressional elections. Regardless of party or voting residence, all peace-minded Americans have a *national* role to play in these contests:

"NIXON AIMS HIS POLITICAL CANNON RIGHT AT THE SENATE," the *Los Angeles Times* headlined a recent syndicated column. "Infuriated by the effectiveness of Senate opposition," columnist Kevin P. Phillips said, . . . "President Nixon appreciates, as few people do, how different the U.S. Senate would be in January, 1971, if just six or eight [of his personally selected] challengers win."

That says it all. While anguished opponents of the war, including growing numbers of businessmen, out-anguish each other over a multiplicity of projects, Messrs. Mitchell and Nixon train their big guns on the most important 1970 election targets: Key seats in the Senate. That body is the primary political force in America today resisting the flagrant military excess to which the Administration has become wedded.

**WHY NOT THE HOUSE?**

There are highly deserving Congressional peace candidates in the House, of course, whose campaigns should also be supported. But in terms of ending the war and modifying a militaristic foreign policy it will take a dozen years to shift the House from its present posture. Most important, the Senate has primary legislative responsibility for foreign policy and war.

It is in the Senate that the political potency of the peace movement can be multiplied quickly and with utmost leverage—by adding several newcomers to those who now oppose the ABM, denounce Pentagon overkill spending and support rapid U.S. extrication from Indo-China. Conversely, defeat of even a few good men could cripple the Senate's anti-war effectiveness.

Since every Senator is involved with issues deeply affecting the entire nation, every citizen should be involved with *all* Senate elections—especially in 1970. This is no year to indulge in the vain satisfaction of "moral victories" where sure losers poll more votes than predicted. Nor should we pour money, this crucial year, into contests between two good men, either one of whom would carry the peace banner effectively.

**PINPOINTING INVESTMENT**

Access to campaign funds is the key. The big money of Nixon's war chest will be concentrated on those carefully chosen "six or eight" contests. This pragmatism must be matched by the financial counterforce of a *Peace Chest*—focused on these and a few other Senate races. The high war-or-peace stakes riding on these campaigns require the utmost national cost effectiveness from political contributions.

To this end, a group of California businessmen has created the Peace Chest Task Force whose financial and other resources will go only to those Senate races in which the War/Peace issue is clearly involved, and in which a relatively small investment can significantly assist threatened Senate anti-war incumbents, as well as help challengers who stand some real chance of winning.

**PEACE CHEST SELECTIONS**

Expert advice is guiding the Task Force's choice of critical contests. As this announcement goes to press, the following Senate candidates have been selected for national support. The list will be updated as the campaign progresses.

**SEN. QUENTIN BURDICK,** North Dakota
**JOSEPH DUFFEY,** Connecticut
**SEN. ALBERT GORE,** Tennessee
**SEN. PHILIP HART,** Michigan
**SEN. VANCE HARTKE,** Indiana
**PHILIP HOFF,** Vermont
**SEN. JOSEPH MONTOYA,** New Mexico
**SEN. FRANK MOSS,** Utah
**ADLAI STEVENSON,** Illinois
**JOHN TUNNEY,** California
**SEN. HARRISON WILLIAMS,** New Jersey

The Peace Chest Task Force encourages contributors to make their own allocations, if they choose, by writing checks directly to candidates and sending them to us. But since the Peace Chest is a totally cost-free vehicle with Task Force members bearing all expenses, you may prefer to simplify things by allowing us to make distribution among the peace candidates based on prevailing considerations as the campaigns progress. To do this send checks to TASK FORCE/FOR PEACE, Box 48458, Los Angeles 90048.

HAROLD WILLENS, President
Factory Equipment Supply Corp., on behalf of the Task Force.

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Addendum: The CCLM held its second board meeting of 1970 the first week of June in Racine, Wis., at Wingspread, under the auspices of the Johnson (wax) Foundation. Board members arrived from both coasts (expenses paid?), voted on grants to be made (sums to be announced?) and adjourned into a general "workshop" session at which, after long discussion, it was decided to fund a study group to work with state art councils to try to draw up a plan for wider distribution of "politically inoffensive" littles. (Anyone who has studied the workings of a state arts council—not to mention the workings of a "study group"—will know how fast and how far this effort will go.) At the same session, a number of questions by outgroup independents as to CCLM procedures were turned aside with no substantive answer by the *Partisan*-CCLM representative, aided by two poets who also publish poetry magazines that have benefited mightily in dollars both from the Endowment and from CCLM, and who sit on the CCLM board. (These official spokesmen were seconded by yet a third poet-publisher, one whose magazine is financed by a large private fortune.)

Situation remains as before: socialism for the rich, free enterprise for the poor. □

# Revolt without Revolution

REVOLUTION AND POLITICAL LEADERSHIP: Algeria 1954-1968. *By William B. Quandt. M.I.T. Press. 313 pp. $8.95.*

ALGERIA: The Politics of a Socialist Revolution. *By David and Marina Ottaway. University of California Press. 322 pp. $8.75.*

**RICHARD W. FOX**

*Mr. Fox is a graduate student in Yale's Department of Religious Studies. For the past three years he has been doing research on radical political movements in the Third World (a year and a half in Hong Kong, then a year and a half in Algeria).*

Algeria is the only African or Arab country to have won its independence from the European colonizer through armed struggle. Unlike other people's wars after World War II, Algeria's was neither led by Communists, like China's or Vietnam's, nor followed by a Communist regime, like Cuba's. The eight years of Algerian independence, following the eight years of rebellion against France, have, to be sure, been marked by a disjointed attempt to build a Socialist economy—"Socialist" in the sense of state control of the means of production, not in the sense of egalitarianism or of worker-peasant participation in management.

These two studies, the first serious treatments in English of post-independence Algeria, go part of the way toward explaining why Algeria's armed revolt, in which the peasants played a major role, led to no social revolution. Yet each study turns out to be more concerned with Algerian politics, narrowly defined, than with the Algerian "revolution."

For the Ottaways the answer lies in a failure of leadership: the leading elements of the National Liberation Front (FLN) split into (literally) warring factions as soon as independence was assured. The Ottaways believe this divisiveness came not from "a conflict of ideologies," or from a "struggle between the bourgeoisie . . . and the workers and peasants," but from a "contest for power among dozens of groups or clans."

Such, they point out, is the North African tradition: the *asabiya* system of leadership by temporary alliances of tribal chiefs. Today, however, the individual clan is no longer held together by the blood ties of the tribal group but by allegiances forged during the independence struggle. (Forged by what? Personality affinities? Geographical proximity? Common backgrounds? The Ottaways rule out ideological or class ties.)

They note correctly that the men who led Algeria's revolt engaged in perennial feuding, during and after the anti-colonialist struggle. But one wishes they had not contented themselves with the simple argument that past feuding among Algerian rulers has led to present feuding, which in turn has undercut the attempt to build a strong Socialist nation. They probe neither the problem of why and how such dissension developed, nor why the armed struggle did not succeed in modifying inherited political customs.

Other people's wars have succeeded to some extent in overcoming traditional regionalism and clannishness—notably the Chinese. The authors do not see that the very continuity of Algerian political forms, in spite of the rebellion and the preceding period of nationalist agitation, must be explained. Why didn't a strong people's party emerge during the independence struggle? To state that the nationalist leaders inherited a tradition of bickering among themselves begs the question. What we want to know is how that bickering could dominate the political scene under the radically new conditions of popular warfare.

It is the merit of Quandt's meticulous study—easily the best treatment of post-independence Algerian politics in any language, including French—to fathom as deeply as is scientifically possible the issue of the development of elite dissension. He is not concerned with "behavior patterns within the population as a whole"; he deals almost exclusively with "that very small portion of the population which becomes highly involved in politics," indeed, with "a finite set of incumbents of identifiable roles within the authoritative political bodies of the F.L.N. and the Algerian government which existed between 1954 and 1968."

But can one understand Algerian politics—not to speak of the "revolution"—by considering only a finite set of identifiable incumbents? What of the rural masses, the urban *Lumpenproletariat*, and their participation in the nationalist movements, the *maquis*, and the post-independence unions and associations? Quandt's work, skillful as it is, is primarily a contribution to the study of political elites rather than the Algerian body politic. When he does venture afield and comments on the role or position of "the masses"—a term he uses with tiresome imprecision—he commits serious errors.

His first is to state without qualification that Algeria has undergone a major revolution such as China's, North Vietnam's, or Cuba's. Such a judgment is possible only if one completely neglects the existence, and the presently thriving position, of Algeria's urban and rural bourgeoisie. His second error is more serious still, since it betrays an inability to distinguish between the political roles of the peasant masses and the nationalist political leadership. Quoting Frantz Fanon to the effect that violence binds a colonized people together so that "the future nation is already indivisible," Quandt takes Fanon's statement to be a "prophecy" that the Algerian revolution would create an undivided political elite. Nothing could have been further from Fanon's mind, as both the context of the citation and the rest of *The Wretched of the Earth* make clear.

The "nation" has indeed become, according to Fanon, a reality in the collective consciousness of the peasant masses—an ineradicable reality—but with no political unanimity in the leadership, a portion of which is in fact eager to betray the peasant masses by making



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profitable deals with the former colonizer. Quandt's failure to understand the Algerian peasant is even more blatant in his unbelievable statement that "in the rural areas an Algerian might be unaware of colonialism and national politics." Of national politics, perhaps, but of colonialism? One hopes that sentence was a fluke. Finally, Quandt makes the questionable assertion that Algeria experienced a "protracted guerrilla war."

Part of the answer to the question why elite disunity dominated the political scene during the struggle is surely that the Algerian revolt was not really so protracted. The FLN announced the beginning of armed action on November 1, 1954, and the cease-fire was agreed to at Evian on March 18, 1962. Nationalist agitation preceded the outbreak of hostilities by at least a decade, and clandestine organizing was begun in earnest after the incredible massacre of between 5,000 and 40,000 Moslems in the Setif region in May 1945. But guerrilla war itself can be said to have lasted at most seven and a half years, and even then only intermittently, and with great regional variation.

The full answer must be sought elsewhere, with the aid of a class analysis which neither of the books attempts. Both Quandt and the Ottaways rightly reject the idea that class origins or class consciousness can alone explain the differences among the members of the political elite—though only Quandt, through his empirical study of the "political socialization" of 360 elite members, does a competent job of explaining those differences. The class analysis which is needed must place the political elite in the context of the deeper social forces at all levels and in all regions of the country.

Such an analysis would correct Quandt's vague use of the term "masses" (urban? rural? property-owning? landowning? agricultural laborer?) and would expand upon the Ottaways' undeveloped yet pregnant proposition that "undoubtedly" there exists in Algeria "a bourgeois class opposed to socialism." Frantz Fanon made a sketchy, unscientific start in this direction in *Les damnés de la terre*, though his treatment was more objective than most in its careful attention to the sociological fact of festering rage which boiled up into the collective, national act of revolt.

Fanon divided the native population of the colonized nation into the peasant masses, the *Lumpenproletariat* (displaced, disoriented peasants living in shanty towns on the edges of cities), and the native bourgeoisie. The latter grouping includes both the urban civil servants, lawyers, teachers, doctors and other educated people who take part in the politics of the nationalist parties, and the urban workers, like taxi drivers or dockers, who occupy a privileged position with respect to the landless masses of the countryside. It is among the urban workers that the nationalist parties do their political organizing. The bourgeois politicians speak to a bourgeois constituency, not to the four-fifths of the population who in Algeria lived on, but did not own, the land.

We can carry Fanon's argument further by adding that since none of the bourgeois factions was built upon a mass base, none could prevail. Shifting alliances, personality battles, cloak-and-dagger maneuvering dominated the political process. Not that it would have been easy to develop a mass party, given the repressive apparatus at the disposal of the French; nevertheless no concerted attempt was made to do so. Native politics remained bourgeois politics. Even the revolutionaries who planned the attacks of November 1, 1954, and who founded the FLN the same day, made no attempt to prepare the peasants ideologically or militarily for the struggle.

What kept the peasants from making their weight felt and, in alliance with intellectuals and trained *maquisards*, turning the tide in favor of revolution? No explicitly national tradition existed in Algeria. From the Arab conquest to the Turkish occupation in the 16th century, Algeria was but a stretch of land in the Maghreb ("the land of the setting sun"). The Turks brought the habit of drawing national boundaries with them, but limited their administration mostly to the coastal regions. It was the French, arriving in 1830, who gave Algeria its present boundaries and distinguished it administratively from Morocco and Tunisia. But even as they put all "Algerian" tribes under a single administration, the French encouraged regionalism, so as better to keep the natives divided.

The Algerian peasants, gradually expelled from their tribal lands by French colonization schemes and forced to become occasional day laborers, preserved their tribal mentality. Later rebellions, like the one in the Kabylian mountains in 1871 which pitted 100,000 *moujahidin* against the *colons*, were localized, not pan-tribal. Even during the 1950s the peasantry had at best a dim understanding of what a national political movement might be. Only in the last years of the rebellion, as French sociologist Pierre Bourdieu has shown, did national solidarity begin to develop in the peasant ranks.

Unable to envision national resistance to the French, while sometimes fighting fiercely on the local level, the Algerian peasant was also largely ignorant of the existence of an Algerian bourgeoisie. The "lords" in his life were European, and the merchants with whom he came into contact were on the whole either Mozabites (a *méprisé* Saharan people) or "non-European" Jews, who came to North Africa, mostly from Spain, long before the French occupation. The peasant could well conceive of expelling the *colon* who exploited the land or the local *commerçant* who exploited the market, but he did not realize that a native bourgeoisie was prepared to assume the powers of the *colons* after independence, in many cases buying up land and property as the latter fled.

Unlike the Chinese peasants who turned to Mao Tse-tung, the Algerians did not see that they had two enemies: besides the foreign occupier, the native

## LYING DOWN TO SLEEP

*Lying down to sleep, we come to a bend in the road.*
*Smoke pauses in the ashen body.*
*Now animals hop behind the breathing trees.*
*We slip through a fence, into the meadows.*

William Lane


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landowner. The foreign occupier had been so successful in Algeria that he had long since swept aside the native *propriétaire*. The Algerian peasants participated eagerly in the war of liberation, but did not comprehend the need to foster a social revolution. The French would leave; the land would be theirs. In fact with independence the peasants did seize various vineyards and citrus groves, especially in the central, lush Mitija plain. But as soon as the government of Ben Bella was in place, law and order were restored in the countryside: peasant seizures of land were halted and previously occupied terrains were brought under firm central control.

The eight years of independence have seen a steady erosion of the peasants' primacy on those *domaines autogérés* (self-management farms), which produce citrus fruits and wine for export, and a potentially catastrophic neglect of the *secteur agricole traditionel*, much poorer, where at least three-quarters of the rural population subsist with a 30 per cent unemployment rate (1 million peasants in the countryside without work). Moderate proposals for land reform have been discussed in the government since 1963, but action has been blocked by powerful landholders, as the Ottaways document convincingly—though they neglect to add that some of the *grands propriétaires* occupy very high positions in the present regime. It is no wonder that the works of Frantz Fanon, propeasant and subtly yet scathingly critical of the *embourgeoisement* of the FLN up to Fanon's death in 1961, are not to be found today on Algerian bookshelves.

The Algerian revolt was in no sense a revolution, and there are as yet no signs that the present regime, eight years after independence, intends to carry one out. On the crucial questions of land reform, emancipation for women, and regional redistribution of income, action, as opposed to words, is noticeably absent. The social structures of Algerian society have been left intact, with the native bourgeoisie replacing the fleeing Europeans in the positions of dominant economic and political power.

Had metropolitan France been stronger—politically and economically—and thus perhaps less willing to compromise with the Algerian bourgeoisie, the war would have been prolonged and a peasant revolution might have had a chance to develop. The FLN would not have been able to rely on diplomacy in Cairo, Tunis and New York, and on urban terrorism aimed at French and international opinion. The Front would have had to make the long march in the direction of the peasantry, geographically and politically. But since the Algerian revolt was more a war of national creation than one of national liberation, it was perhaps inevitable that the bourgeoisie—alone conscious of the meaning of nationhood—would secure its grip on both the means of violence and the means of production, on the mechanisms of both army and state. □

# Book Marks

## WILLIAM O'ROURKE

*Mr. O'Rourke has recently received a grant from the American Federation of Arts to work on his novel at the Fine Arts Work Center in Provincetown, Mass.*

NEWS. *By Nicholas Delbanco. William Morrow & Co. 243 pp. $5.95.*

Nicholas Delbanco's fourth novel in about as many years follows the postgraduate lives of four preciously educated young men; their marriages, either to women or a cause. One takes to the deep South to do research on an arcane historic episode when a black separatist state was created (which in Delbanco's rendering still remains remote in history). Another goes to California and sets up a revolutionary cell, a white leader who holds his authority over his black troops by superior karate techniques. Another, his trust fund in some precarious state, puts his knapsack in his Thunderbird and lives simply in Mexico, where he finds an illiterate beauty who dies tragically from painting the floor of their shed and expiring from the fumes. Another lives in Vermont and is referred to as a "poet and therefore unemployed."

Delbanco has one strong character in *News*, but he has drawn and quartered him to produce four; they do different things but all have the same way of thinking. Delbanco creates this hydra with short, well-done expository introductions to each chapter, over and over again until he establishes a barbershop mirror effect. He has retinal accuracy. The surfaces of these men's lives are completely there, like the small print of a medicine's harmful side effects. The last few paragraphs of each chapter begin to loosen up, a jar lid finally coming unstuck, but then another chapter begins, and because there are several stories winding around one another, you never get to dip into what you've opened.

Gifford, the white leader of the black cadre, lists (the skeleton of this book would be a list) at one time debits and credits: "Debits: too much education." It goes for the novel as well; this is an overeducated book; it knows too much, but gives back little insight. *News* starts everywhere and ends nowhere; open to any page and this is what you'll encounter:

> Harrison learned vanity at Wesleyan, the way to braid a rope as belt and paint his leather knee-boots blue. He hung a Sebring poster and a hunting horn above his bed, used a sea chest with an inlaid whale for shoes. . . . He blended Jasmine and Darjeeling and then Orange Pekoe tea, and barely passed physics and French. He drove one day to Plymouth Rock, with a girl called Corliss, looking for lineage in rain. They shared a Whammyburger and a double Shook-Shake, fondled slickers, did not leave the car.

It is the six o'clock news forever. News. The gram weights of objects and information decide a man's character. We know the elegant minutiae of the characters' lives, but when one commits suicide, another murdered, we are not moved. None of the men get beyond the age of 29 in *News* and Delbanco himself is not yet 29; instead of turning out a book every year, he might, if he took enough time, finally write a good one.

THE STONE HUMPERS. *By Donald Marsh. Delacorte Press. 242 pp. $5.95.*

*The Stone Humpers* appears to be a book by a self-educated man, and at times the vocabulary suffers from this, not by lack of words but by the inept pairing of them, "frenetic homosexuality," "convenient persiflage," and by such writing as: "Mid-Manhattan. Streets and activity impossible to believe, easy to imagine, dull to describe." That is really a sinful omission, or admission.

The stone humpers exist in New York's damp Hudson Street area; they are the men who arrive for day work as movers, at 6 A.M., "beginning a new day. The fortunate, the old good hands, will work, the unlucky will sit bored, reading, talking, sit in a shoulder shrugging desuetude and wait." Into Danny's moving company, an illegal, nonunion limbo they come, the men who are heroes only in books; the dead who win posthumous medals.

People drop out of this book as they do in life; after a few chapters you vaguely recall (and with some regret) that someone is missing. Poverty shrouds each particular barbarity that these day-help Hectors and Achilles are involved in. A fighter who was never good enough to take a fall; con men so petty even police don't respect them. The men who get " 'No raise. No promotions, Man you can't even get near that kind of scene. Just wages.' A pause. Seeming to taste something brassy in the mouth. 'What a word. Men get their noses rubbed in shit daily for wages.' " Marsh makes you feel that hard fact of life *hard*.



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Danny, the prime mover, revenges the murder of one of his men by another, a Homeric killing where the victim is dragged behind the moving van-chariot along Eighth Avenue. Though they be the crassest of gods (revenge, eye for an eye, hard-hat fatalism), Marsh believes in them and he brings a crude butcher's thumb to press on his scales of justice. Most of the book is written in telegram prose. No articles. And it is this primitiveness that matches the story pound for pound that gives *The Stone Humpers*, a book about shiftless movers, a moving quality. This is Donald Marsh's first novel. He is 42.

ATTIC. *By Katherine Dunn. Harper & Row. 134 pp. $4.95.*

*Attic*, also a first novel, presents a case of precocity that you can detect by its interesting spots. Miss Dunn uses her own name for her narrator which manufactures that oxymoron, the fictional memoir. A young girl college dropout ("Don't you see I'm gifted! . . . I mean I write poetry and things. . . . This magazine selling is just a joke because I ran away from college") is lost in a "dank and Independence November," locked in the Jackson County, Mo. jail for many months for passing a bad check. Miss Dunn is slumming. She has a knack for withholding and implying, the stuff of dreams. Though *Attic* is written in the first person, it reads like third, so little do we get of herself.

"Miss Dunn" is given the chance to call a lawyer and she calls the time instead. A recorded voice. Hers seems less alive. Very spaced out. While she is selling magazines to indigents in the Ozarks (with a detached heartlessness similar to a member of the Spahn Movie Ranch family) she sees in a hovel a "heart-shaped satin pillow from the greatest show on earth." Advertisement euphemisms replace nouns. A spare-parts imagination. Her scatological musings are as primitive as her cell's plumbing. "I never thought of other people wiping different." In the novel's penultimate sentence she is still worried about flushing a toilet and what for a few pages was interesting observation has long before revealed itself as complete obsession. The only thing she tries to come to grips with is her own carnality. After a dream of "pretending," it "makes me sick to remember in the daylight—shuddering hungry all through me and I lean my face against the cold steel and close my eyes until it goes away." Some of the description has a lewd eagerness to it, but it is pin-up girl forthrightness, eyes staring dumbly into the camera; behind the deadpan there is boastfulness. "I feel trapped in my own history—memory is such an aggressive thing—I have two lives—this still one in the cell where nothing changes and that eats at me—not what happened but what I can remember—there should be somewhere it turns off—" There sure should be; *Attic* is definitely a one-night stand.

ONE OR ANOTHER. *By Rosalyn Drexler. E. P. Dutton & Co. 168 pp. $4.95.*

As much as Miss Dunn's novel, Rosalyn Drexler's *One or Another* is perfected in its limitations. Like a café entertainer who needs only interest a certain group, she turns on a set piece, novel interruptus. Again it is the wavering first person, a strange radio station discovered in the early A.M. A teacher's wife is having an affair with a young boy. In New York. The time is the present (and how quickly it is going to become the past). The book entertains in the same way as do Miss Drexler's plays: chic, spiny attitudes that can't be touched, a porcupine's defense, since even the author won't embrace them though she will espouse them. She satirizes a black high school militant (at her best at this), science, pornographic films, modish causes in a hide-and-seek fashion, since she's there amid them. For Miss Drexler it is not the banality of evil any longer, but the banality of madness. "But then I can always live in my head. What I dream is infinitely better than what I do . . . the hazards far less." "Infinitely" in Miss Drexler's mind is the distance between Channels 5 and 7. There are some people you would prefer being bored by than others, a just criterion for her fans. □

# FILMS

## ROBERT HATCH

It has taken five years for *The Rise of Louis XIV*, the movie that Rossellini made for French national television, to arrive in the commercial theatres here, and had I known what was in store, I should have become impatient. The picture is a triumph, both of film making and of psychological portraiture. I assume that it is historically sound, if perhaps a little simplified; the French are good students of their own past and would have accepted a minimum of artistic license in this officially sponsored treatment.

The picture scarcely develops enough action to be called drama. It is more accurately a moral spectacle, and the decision to frame it thus was probably more Louis' than Rossellini's. With Mazarin, his mentor, dead, Fouquet poised to seize power, and the memory of civil war still fresh in the minds of the nobles, the young Louis is determined to rule France. It is how he went about it, given his attributes, that provides the matter and fascination of the film. Endowed with the squat, awkward body of a peasant, he made the care and comfort of that body a national preoccupation, and access to its presence the sole means of advancement in France. A phlegmatic man, he made boredom the style of Versailles. He dressed in a ludicrous excess of finery, so that his courtiers might devote their otherwise potentially dangerous energies and fortunes to haberdashery that could stand comparison with the ribbons and feathers of the monarch. Louis caused himself to be served eighteen-course dinners, which he scarcely tasted, but which kept the aristocracy intriguing as to who should handle dishes and cutlery. Versailles was stultifying, but the rest of France was exile. When Louis said *"L'Etat, c'est moi,"* it was not a phrase of foolish boasting, but a definition of high policy.

To portray this brilliant intelligence devoid of talents, Rossellini employs Jean-Marie Patte. The actor's task is, with almost no display of personality, to impose on his peacock-preening associates—and on us the audience—an assumption of superiority so absolute that it cannot be questioned. Patte speaks little and always in the flattest of monotones. His round, heavy face betrays feeling only three times, I think, in the film. Once, when out hunting the park deer, Louis smiles at his mistress of the


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moment; once he bursts into tears when the queen mother berates him (but these are sobs of diplomacy and she loses her case) and once when, with Colbert, he is viewing the new confections of dress that he intends to impose on the court, a shadow of amusement moves across his lips.

Otherwise there is no animation at all, and it is almost a mystery how Patte builds the stature of his character. It is done to a considerable extent by placement, by creating a small vacuum around the person of the king and by making evident that to cross that moat of emptiness is the highest privilege of the realm. Also by stressing the characteristics of the king that Louis could not have changed had he so wished. Everyone in the court pirouettes; the king stomps. Every courtier replies to the simplest remark in sentences that are marvels of extemporaneous felicity; the king utters uninflected monosyllables. He thus becomes hypnotic in his bleak isolation—a phenomenon created by Louis' high intelligence and here recreated by Patte's high art.

To this chronicle, Rossellini brings a photography that is utterly without gesture and unfailingly absorbing. Since he was working for a public agency, the director had, of course, access to the public monuments, and he has taken the most felicitous advantage of the opportunity. He shows off nothing—the material facts are so sumptuous as to need no pointing. Instead, he drives home the close, airless, crowded elegance of life around the Sun King. The state chambers may seem large today, when we follow the guide on the 5-franc tour, but when they were filled with too many courtiers and their ladies, sweeping their great hats to the floor, agitating their fans, ever bowing and curtseying and pushing forward to the king, the press became intolerable. The life at Versailles is vulgarly thought to have been one of parasitic pleasure; Louis made it very hard work.

I haven't seen a film of this quality in a long time—one that ignores current fashions, disdains easy seductions and summons the highest craftsmanship to enforce its point of view. It carries one along, not by excitement but by the strength of its intelligence and the excellence of its ingredients. Inspecting the construction of Versailles, Louis remarks that rulers are remembered for their architecture. Rossellini may have had something of the sort in mind when he constructed this picture.

From Apuleius to Kafka, satirists have employed for their fables the device of transposing their human targets into the forms of the lesser beasts. So Robert Downey, who in *Pound* has his company locked up by the dogcatchers and awaiting the gas chamber, cannot claim originality for the conceit. Nor would I give him much credit for the use to which he puts it. There is a wealth of invention in the film, projected in some highly studied photography, but while a few episodes come across as neatly acrid turns, the action does not hold together, move ahead, or demonstrate any definable viewpoint. The performers do not much resemble dogs; worse, their behavior does not much resemble human activity. They seem most like a company of unemployed actors rather desperately performing their set routines, in the hope that they will be hired for some purpose unspecified. Several of these solos are strikingly unpleasant, but most are pathetically ingratiating, and satire will not thrive on such fare.

I was more enthusiastic about Downey's *Putney Swope* than were most of the reviewers; possibly I was influenced by a liberal bias toward seeing the black man get in his licks. Even there, however, I was disturbed by Downey's inability to resist any gag that crossed his mind. On the evidence thus far, he is so generalized a mocker of the *status quo* that almost any stimulus produces a twitch of irony. It is an attitude with which one can sympathize, but it inhibits narrative momentum.

To say that people today live dogs' lives is too obvious to be interesting; to make anything of it in the framework of a metamorphosis, it would be necessary to show how the canine analogy applies. But Downey has not thought how to do that, and seems as a result to be inventing one jump ahead of the camera. There is a subplot in which a fanatic young sniper goes about the city shooting affectionate couples. This produced some splendid views of New York, but its relevance to the plight of the dogs completely escaped me. It could be the germ of some other movie that Downey never developed but could not resolve to shelve.

Downey is both director and writer; he may have a talent broad enough for both jobs, but it is a question whether he can develop the self-discipline needed for that much autonomy. He needs, perhaps, someone at his side to keep insisting that the show get on the road and stay on it. □

## NIGHT SONG

*I cannot think who is guilty,*
*one or the other, both— I remember*
*only the turning of platters* leaving me
blue blue Jezebel—*so now I hear*

*outside in the raining city*
*the poor shiver and go on walking and the unfed*
*ask alms or shelter and get pity*
*and I know the lonely are afraid in their beds.*

Galway Kinnell


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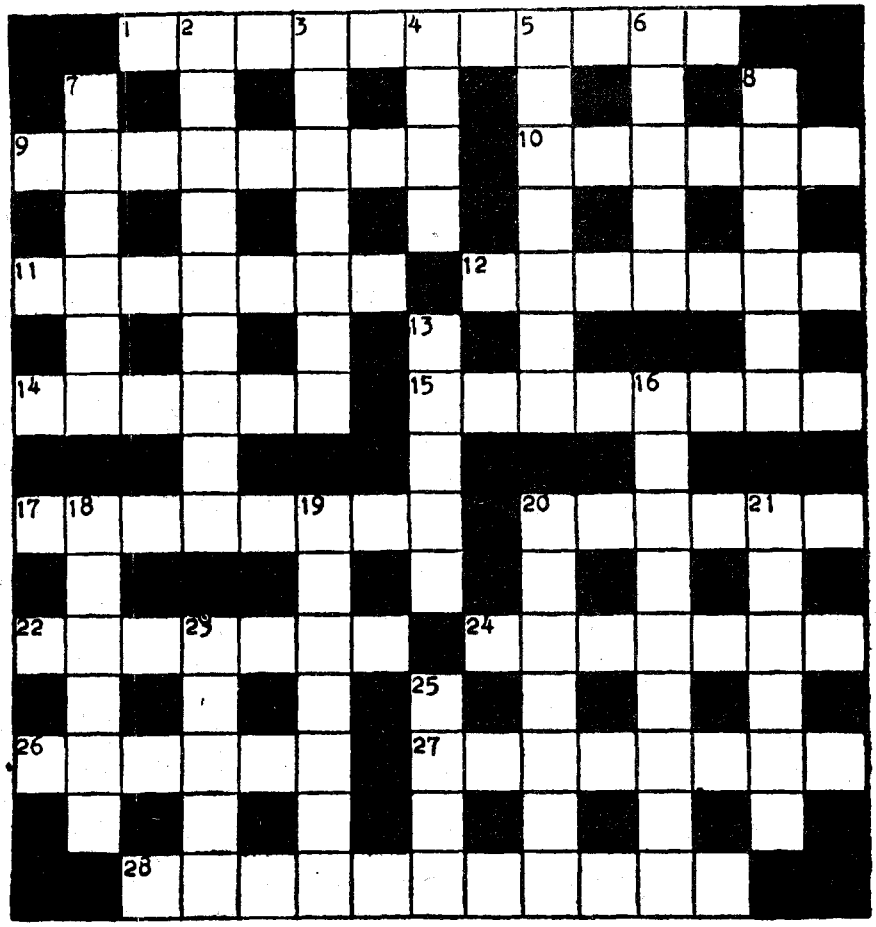
# Crossword Puzzle No. 1357

**FRANK W. LEWIS**



ACROSS

1 The thing some young folks rebel against must have been, but his best deal isn't good! (11)
9 and 13 down. For example, from nine to five the same suit might pay off. (8,5)
10 It might be vulgar for a girl overseas. (6)
11 Cattle disorder, due to moving about? (7)
12 Acting like the corset isn't going places? (7)
14 In the absence of hatred, possibly. (6)
15 Old port? (8)
17 Quiet strolls ending up in a disorderly place! (8)
20 Regular waste a dyer produces without unusual wear. (8)
22 Strange, but in Scotland high class goes with most of the crude type. (7)
24 Expedient as a singular form of what statesmen indulge in. (7)
26 Make less 22. or more oil? (6)
27 Reel drunkenly about the sort of light again? (8)
28 Fat French prospective buyer of a small jumper. (11)

DOWN

2 Caught the spirit of at least part of the band! (5,4)
3 Gush, in a way that causes pain. (7)
4 The answer to "Shall we dance?" might be obstructions. (4)
5 Original member of the race? (7)
6 Not a late Civil War general. (5)
7 Warfare in a small way existing generally? (6)
8 One who forbids the flag to be shown? (6)
13 See 9 across.
16 Something to lie on, that is, in one-time compliance with what is required. (9)
18 Gave over. (Most people are right!) (6)
19 Those who are used to turning bubbles up? (7)
20 Put into reserves because of a booming market? (5,2)
21 Exercises might be such bores! (6)
23 Refined ore is possibly associated with the bank. (5)
25 The greatest victors sometimes undergo it. (4)

SOLUTION TO PUZZLE NO. 1356

ACROSS: 10 Hacks; 11 Panegyric; 12 Connivers; 13 Sheer; 14 Subsidiaries; 19 Butterscotch; 22 Larks; 24 Australia; 25 Spirituoso; 26 Inane; 27 Shaplessness. DOWN: 2 Oscine; 3 Destitute; 4 Oppresses; 5 Aunts; 6 Argus; 7 Gardenia; 8 Check; 9 Actress; 15 Door stops; 16 Accordion; 17 Abolish; 18 Starfish; 20 and 1 across Always good for a laugh; 21 Gates; 23 Skimp; 24 Atoll.

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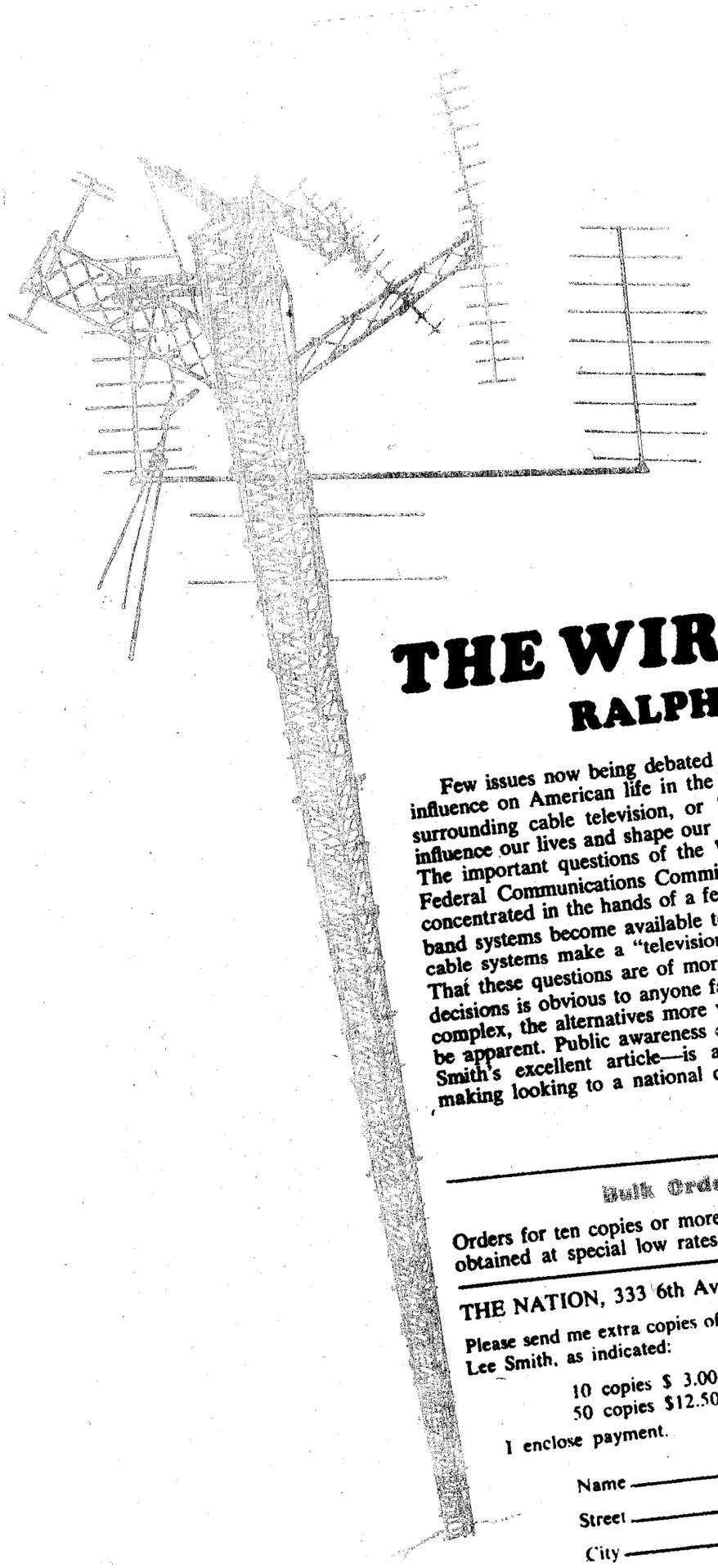

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